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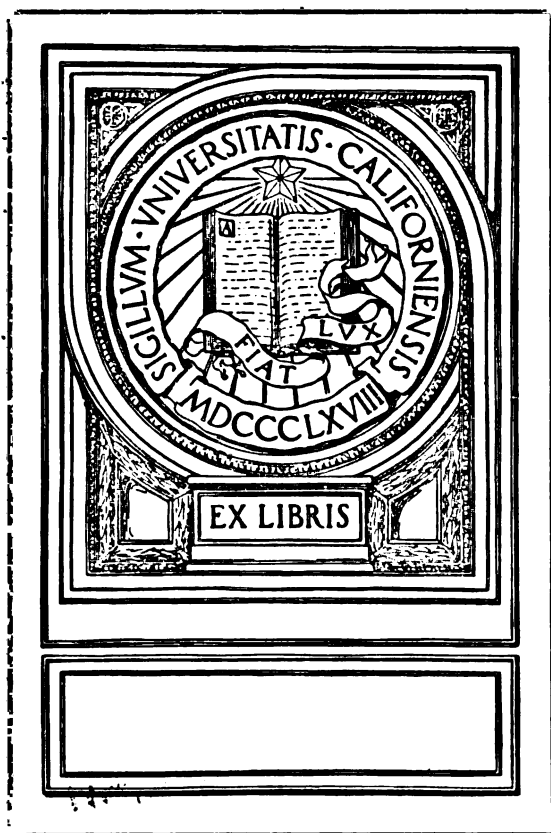
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Benjamin Franklin as depicted in the portrait by N. B. Sturges.

Johnson

FRANKLIN IN FRANCE.

From Original Documents,

**MOST OF WHICH ARE NOW PUBLISHED FOR THE
FIRST TIME.**

BY

EDWARD E. HALE

AND

EDWARD E. HALE, JR.



*THE TREATY OF PEACE
AND
FRANKLIN'S LIFE TILL HIS RETURN.*

BOSTON:
ROBERTS BROTHERS.

1888.

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PREFACE.

THE volume in the reader's hands is an attempt to illustrate the closing years of Franklin's residence in France, from the original manuscripts in several large collections. With few exceptions, the manuscripts now printed at length, have never been published till now. The collections which have been open to us for that purpose are what we have called the "Stevens Collection" in the State Department at Washington, the American Philosophical Society's collection, the private collection of Hon. George Bancroft at Washington, that of the Adams family at Quincy, and the Sparks manuscripts at Cambridge. We are indebted to two Secretaries of State of two administrations, Messrs. Frelinghuysen and Bayard; to the Philosophical Society, and its accomplished librarian, Mr. Phillips; to Mr. Bancroft's untiring kindness; to Messrs. J. Q. and C. F. Adams; to Mrs. Sparks and the officers of the Harvard Library, — for the freest use of all these priceless collections, and for endless courtesies such as cannot be enumerated. To Mr. Dupont de Nemours; to Judge Chamberlain of the Boston Public Library; and to Mr. Hale of Phillipsburg, Penn., — we are indebted for single letters. All together, these manuscripts give the student such a view of the years covered by the narrative, as no single observer had while those years passed. And we must own that it is our fault if the reader does not find that the collections illustrate each other, and that the papers now printed throw new side-lights, even on the points best established in the history of Franklin's stay in France.

By the rather unsatisfactory standard of linear measurement, the Stevens collection has contributed most largely to this volume. Indeed, the years covered by it are those from which Temple Franklin had been more reserved in his printed selections, because he hoped to have here the materials for a second series, which, in fact, he never published.

But it is impossible to speak of the comparative value of such documents. Their interest comes largely from the light which they throw upon each other. Thus, the letters of Lafayette all bear on each other, and illustrate each other. But they came to us from the Stevens collection, from the Adams collection, and from Philadelphia. To give a single instance of the advantage which a modern reader has, now that collections once private are opened to study, we may say, the first chapter of this book is made up from five different manuscript collections, besides its citations from printed books, and from private correspondence.

The reader of our first volume will see at once, that, with the great American success at Yorktown, the position of Franklin in France is essentially changed. He had no longer to make friends. The new-born nation had friends in plenty. Condorcet, in his eulogy on Franklin, delivered after his death, observes the complete change in his life in Paris which followed the negotiation of peace. He now became the man of science, of letters, and of society; while, up to this time, he had been of necessity a man of business, and hardly any thing more.

For a study of the negotiations leading to the Preliminary Treaty, recent publications have offered much new material, and much new material has been found in the manuscript collections which have been opened to us. The subject is one which has been frequently discussed, and that with some slight differences of opinion. As is well known, Adams, Franklin, and Jay did not wholly agree in their views of the steps to be taken. Adams and Jay have found able defenders in their illustrious descendants. Franklin's case

has been put with great force by Mr. Bancroft in his History. Mr. Bancroft, as we have said, has laid open to us the manuscript collections used by him; and, as the reader will see, the use of his data has shown to us the weight of his conclusions.

The chief material in print now at hand, from which the student may form an opinion on the case, is as follows: Mr. Bancroft's account in his fifth volume, Hon. John Jay's monograph, Hon. Charles F. Adams's study in the life of his grandfather, Lord Edmund Fitz Maurice in his *Life of Shelburne*, Comte de Circourt's translations from Mr. Bancroft's manuscripts, and his notes, and Dr. Francis Wharton's study in the Appendix to his "*International Law*." Of these, Mr. Jay and Mr. Adams have had the advantage of the most intimate acquaintance with the papers of Jay and Adams respectively; Lord Edmund Fitz Maurice has had the private papers of Lord Shelburne and the official correspondence between the English ministers and their commissioners; Monsieur Circourt has had Mr. Bancroft's manuscripts; Dr. Wharton has especially studied the papers of Franklin and Oswald; and Mr. Bancroft, besides the above, has made particular use of the letters to and from Vergennes, in the French archives. If Mr. Trevelyan would but continue the life of Charles James Fox, the material would be as complete as we could desire.

Our own account has certain advantages derived from the work of all these previous workers. It is based chiefly upon the above-named studies and on the Franklin and Oswald papers in the Stevens manuscripts collection, and on the copies from the Lansdowne manuscripts and from the State-paper office, which Mr. Bancroft kindly bade us use, giving us permission to print whatever we might deem necessary. The letters we print are mostly new. They are from the collections mentioned above. We have tried not to print material already public, and we have found much that seemed valuable which was not already well known. The Fox-Grenville and

Grantham-Fitzherbert letters, with the letters from Vergennes to Luzerne, are from Mr. Bancroft's manuscripts. The Oswald Journal and the Franklin letters are from the Stevens collection. The letters from Shelburne and Townshend to Oswald, and their answers are sometimes from one, sometimes from the other.

The reader will see wherein we have had occasion to differ from those who have written before us. Mr. Bancroft's manuscripts have enabled us to form a very clear notion of the proceedings before the resignation of Fox. It is after a careful study of these manuscripts, that we are compelled to dissent from Mr. Jay in his view of the results and importance of Vaughan's mission. It is by their aid that we have, we hope, made clear the position of Vergennes from the beginning of the affair to the end. The Oswald Journal in the Stevens collection has, we believe, enabled us to give a statement of the proceedings during the summer fuller than has been previously made public. And certain of the Franklin letters, in the same collection, give us a good view of the opinion regarding the matter in America.

The careful reader will see that it is somewhat difficult to draw a precise line at which the study of Franklin's life in France should stop. For, when he sailed from Havre to Southampton, some of the measures in which he had engaged were still unfinished. One must trace their history for years before he finds their full result. In editing the correspondence of Franklin upon such special subjects, we have not hesitated to draw quite largely from that of Jefferson, — who was, first, his colleague in diplomacy in Paris, and then his successor, — and from that of Adams. As we have said in the text, we have done this the more freely because Mr. Jefferson's letters, which exist in manuscript, have not been rightly handled by previous editors. In particular, it seems important to follow out the indications which American statesmen leave in forecast of the French Revolution. To this curious subject we have given a chapter of this book, which might be very much

extended. The early volumes of the second series of what is called "The Diplomatic Correspondence" of the United States contain a great deal of curious matter which has never been fully discussed by historians. The private correspondence still unedited contains more. That would be an interesting book which should bring together Mr. Jefferson's narratives of the early stages of the French Revolution, as it exists in his published and unpublished letters. It was hardly our part to undertake this, but we are glad to call the attention of students of the French Revolution to the material thus existing. It can hardly be said that the second series of the "Diplomatic Correspondence" was ever really published, and there exist many letters in manuscript which will not be found there.

The great kindness of Mr. Bigelow permits us to print the two letters of Franklin to Sir Joseph Banks, which have not, till the recent publication of his volume, been in the hands of those who are curious in the early history of the balloon. They are the more valuable because, for some curious reason, the Royal Society, to which they were to have been presented, never heard them read, and never included them in their published transactions, as Franklin intended that they should do.

We must repeat the acknowledgments which we made in the preface to the first volume, of the unfailing courtesy of the heads of the depositories of which we have spoken, in answering the endless questions which an editor finds necessary in trying to give accuracy to such a collection of papers as the reader holds in his hands. It is an inconvenience that the two great depositories of Franklin papers should not be together. We cannot but renew the expression of the hope, that, for a few years at least, the Philosophical Society may be willing to deposit in the State Department its invaluable collection, so that the student of American history who wishes to consult the Stevens papers may be able to consult the other collection at the same place and at the same

time. We ought to take this place to express the conviction that the action of the government in purchasing what is called the Stevens collection was most wise. It would have been mortifying, indeed, had so large and valuable a body of papers, bearing the closest relation to the history of this country, been left on the other side of the ocean.

Since Mr. Benjamin F. Stevens has advanced so far as he has in his wonderful index to the archives of Europe, every careful student of American history is obliged to consult him. Some general readers may not yet understand that Mr. Stevens has attained such relations with the great archive bureaux of different nations that he has already very full copies from the papers bearing on American history, and a very large number of titles which give reference to such papers in the different places where they exist. We have tested Mr. Stevens's kindness in every way, and it has never failed us. We cannot but express the hope that the National Government may avail itself of this index, which is constantly increasing in value, and make such arrangements that the student of our history in this country may be able to use it in Washington. It should not remain in London: it should be a part of the archives of America. We cannot, of course, hope that the Governments of Spain, of Holland, of France, or of England, will give us the original papers in their possession which bear upon their national history. They have done more than could be hoped in permitting Mr. Stevens to index those papers, and to copy from them as largely as he has done. If, in our own archives, besides our own papers, we could have the facilities which this index gives us for reference to the originals, we should have such a resource as historians of no nation have ever had before.

EDWARD E. HALE.

EDWARD E. HALE, JR.

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ILLUSTRATIONS.

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FRANKLIN IN HIS OLD AGE. From a Miniature Portrait painted in France, engraved by WILCOX . . . <i>Frontispiece</i>	

The admirable head of Franklin in his old age, which is the frontispiece to this volume, has been engraved by Mr. Wilcox from a miniature portrait, painted in France, now in the possession of Franklin's great-granddaughter, Mrs. Gillespie. It has never been engraved before, and the reader of this book is indebted to Mrs. Gillespie's kindness for the use which she has permitted us to make of it.

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FRANKLIN IN FRANCE.

PART II.

CHAPTER I.

BETTER TIMES.

THE surrender at Yorktown was an event, which, as it proved, divided Franklin's life in France into two strongly contrasted periods. Through the second period, which this volume is to describe, he was the representative of a successful nation, and was the most distinguished among the commissioners who discussed the terms of peace between that nation and her old mistress. Through the first period, which has been described in our first volume, he had been one of the envoys of a weak confederation, of which the independence was not generally acknowledged: he was soliciting loans and alliances which were not always cordially granted; he was, indeed, in the position of a suitor or adventurer, regarding whom judgment is to be deferred. In the three years and a half which follow, — until he leaves France, crowned with honors, — we shall find that success has won its usual reward. Money comes in more freely, respect is accorded more graciously, and, as he himself proudly observes, the nation which five years ago could hold no communication with him, unless

he came to sue for mercy, torments him now by the frequency and variety of its applications for his good will.

The Hotel Valentinois, which M. Ray de Chaumont had placed at the disposal of the Commissioners, had now long been regarded as the seat of the American Embassy. "This home of unbridled pleasure and immoderate laughter became, in 1777, the home of an ascetic philosopher." These are the words of M. Guillet, the local historian of Passy. It stood, till lately, at the corner of la rue Basse and la rue des Vignes. It took its name, which it always retained, from the Countess of Valentinois, to whom it once belonged. Two wings made out from the main building, each of which ended in a "belvedere" ornamented by stone balustrades, and supported by Tuscan columns. In the right wing was a *salon*, with statues and busts. The luxury of the *fêtes* which the Countess gave there is still remembered. In her day the gardens were large and well planted. The whole has been swept away by modern changes. The rue Basse preserves Franklin's name, and is known as "L'Avenue Franklin."

Franklin's life here seemed to some of the American travellers too luxurious; but the French criticism was not so severe. "To luxury there succeeded modesty, and to all the extravagance of vice the most frugal simplicity. The minister was usually dressed in a coat of chestnut-colored cloth, without any embroidery. He wore his hair without dressing it, used large spectacles, and carried in his hand a white staff, of crab-apple stock. Whoever saw him would not have thought him to be an ambassador, but a peasant of distinguished appearance." With reference to this remark, which appears in more than one French author of that and

of succeeding times, it is to be said, that Franklin knew as well as any man when full dress was required, and was as unwilling as any man to undervalue social restrictions.

When Miss Alexander, his young friend, was to marry Mr. Jonathan Williams, son of his nephew and correspondent, Franklin asked her what wedding present he should give to her. She asked for his portrait. He then sat to Martin for the elegant full-sized portrait which has been engraved for Mr. Sparks's collection. It still exists, in perfect condition, in the possession of Mr. Thomas A. Biddle of Philadelphia: it is one of the finest portraits in the world. This picture represents the "austere philosopher" in a full court-dress of blue silk, fully embroidered with gold. He wears a wig also.

The tradition says that the lightning-rod now on the Valentinois house was put up by Franklin, with the consent of Chaumont, and adds that it was the first put up in France. The first half of this story is true; but there were lightning-rods in France long before 1777.

M. Guillet, in his account of the hotel, adds — what the reader would gather from Franklin's correspondence — that he made many experiments here on the weight of air and on electricity. He kept up here the private printing-office, which has been referred to, and was not above setting type with his own hand.

As we read the correspondence of such a time, with our own knowledge of the importance of all which followed, we feel as if every letter of the moment must reflect a corresponding sense of the crisis in the mind of the writer; but of course we are disappointed. The regular routine of business must go on, the correspondence of the office must be kept down, the wishes of

different applicants must be met, and the methodical course of correspondence must be kept up in the same way, whether we have learned that Cornwallis has surrendered, or whether the wind is stiffly east, with no chance of fresh news from America. A clerk writing letters for Franklin to sign does not, of course, indulge in any felicitations.

Here are a few of his own words, referring to the victory in this auspicious week, — to Mr. Hobart, enclosing a letter to Pownall.

“The late event, if it might contribute to bring forward a reconciliation, would, indeed, as you observe, be a happy one; but I do not think your nation yet sufficiently disposed to it. I can only assure you that any reasonable measures to that end should have every assistance in my power.”

This was written on the 22d of November. They had the good news on the 20th. The letter to Pownall, which it encloses,¹ simply says, “I wish most heartily with you, that this cursed war was at an end; but I despair of seeing it finished in my time. Your thirsty nation has not yet drunk enough of our blood.” To John Adams, on the 23d, he says, in the beginning of a letter about the purchase of stores, “I congratulate your Excellency on the late great event.” But on the 26th, with more time, or perhaps by a more rapid conveyance, he says to him, “I sent forward last Saturday some packets and letters, which I hope got to hand in time. Most heartily do I congratulate you on the glorious news.” And then comes the passage so often cited, to which we shall have to refer again: “The infant Hercules in his cradle has now strangled his second serpent, and gives hopes that his future history will be

¹ Printed in SPARKS, ix. 93.

answerable." The rest of the same letter¹ is in the tone of congratulation.

It seems curious that a letter to Vaughan, his old friend, with which he re-opens communication with him on the 23d, contains no reference to the victory, but in the postscript, "Col. Laurens was well at the capitulation," — a piece of news put in for the benefit of Henry Laurens, then a prisoner in the Tower.

An interesting letter of this period to Strahan, his old friend in England, shows his continued interest in printing. It seems to decide a discussion, which has occupied some attention, as to his edition of Logan's translation of Cicero's "De Senectute." It will be seen that he addresses Strahan without rancor, and that there is no evidence that friendship had been broken between them. This makes the curious letter, reprinted from the autograph in the eighth volume of Sparks's "Franklin," "You are my enemy, and I am yours," more inexplicable than ever.

Franklin to Strahan.

PASSY, Dec. 4, 1781.

DEAR SIR, — Not remembering precisely the address of Mrs. Strange, I beg leave you would forward the enclosed to her, which I received under my cover from America.

I formerly sent you from Philadelphia part of an edition of Tully on "Old Age," to be sold in London; and you put the books, if I remember right, into the hands of Mr. Becket for that purpose. Probably he may have some of them still in his warehouse, as I never had an account of their being sold. I shall be much obliged by your procuring and sending me one of them.

¹ SPARKS, ix. 94.

A strong emulation exists at present between Paris and Madrid, with regard to beautiful printing. Here, M. Didot le jeune has a passion for the art, and besides having procured the best types, he has much improved the press. The utmost care is taken of his press work; his ink is black, and his paper fine white. He has executed several charming editions. But the Sallust and the Don Quixote of Madrid are thought to excel them. Didot, however, improves every day, and by his zeal and indefatigable application, bids fair to carry the art to a high pitch of perfection. I will send you a sample of his work when I have an opportunity.

I am glad to hear that you have married your daughter happily, and that your prosperity continues. I hope it may never meet with any interruption, having still, though at present divided by public circumstances, a remembrance of our ancient private friendship.

Please to present my affectionate respects to Mrs. Strahan, and my love to your children.

With great esteem and regard, I am, dear s'r,

While Dr. Franklin himself received no return from the English sale of his own edition of the "Senectute," it was pirated by an English house, under the general rule which holds to this day. Jonathan Williams, writing to him from London in May, 1785, says, "In going through Exeter change, I saw a translation of Cicero on Old Age, with your name and picture in front. I told the book-seller that I imagined it to be the Rev. Dr. Francklin,¹ but he assured me it was by you, and first published in Philadelphia, as indeed,

¹ Dr. Thomas Francklin, b. 1721, d. 1784, still remembered by lazy students for his convenient translations of Latin books, used in schools and colleges.

appears by a preface put to the book. We are both positive, and you only can tell which of us is in the right."

A considerable part of Franklin's occupation at Passy was the oversight of the young people whose education had been intrusted to him by American parents.

As early as 1778, the Academy placed first among the competitors for a prize in painting the picture of a young American, M. Loeuillard, only nineteen years of age, from a subject in the tenth Iliad. Whether he were from the Rebel States, or the French islands, however, does not appear. There is a very edifying correspondence with Mr. Vernon of Rhode Island, about a son of his, who was wasting both time and money in Europe. To young Master Johonnot from Boston, who is still remembered in that city, there is the following affectionate letter written at this period:—

Franklin to Johonnot.

PASSY, Jan. 25th, 1782.

MY DEAR YOUNG FRIEND, — Inclosed are two letters for you which came under my cover from Boston.

I am glad to hear a good account of you from M. de Marignac. A Gentleman of Lyons has repeatedly wrote to my proposing to remove you to a School in his Neighborhood, and tells me that you desire it. I hope he is mistaken in that. You are plac'd to the satisfaction of your excellent Grandfather, who is a good Judge of the Place and kind of Education that is best for you; and I hope you will be content with it, make a good use of the advantages it affords you for Improvement, and not indulge any Fancies of change. It is time for you to think of establishing a character for manly Steadiness, — which you will find of great use to you

in Life. The Proverb says wisely, *A rolling Stone gathers no Moss*. So in frequent changing of Schools much time is Lost, before the Scholar can be well acquainted with new Rules, and get into the use of them, and Loss of Time will be to you a Loss of Learning. If I had not a great Regard for you, I should not take the Trouble of advising you. I have paid M. de Marignac's bill for your Expence and Schooling to the beginning of next month, and desiring to hear from you I continue to be

Your affectionate friend,

But young countrymen were not the only young people with whom he corresponded. The letter-books are full of tokens of his consideration for everybody who was young and needed encouragement. A French boy named Richard, a pupil of the College Nizier in Paris, wrote to him, and received a kind reply. In this reply Franklin told him, if he wrote poetry, "to sing things which are useful to mankind, and the men who achieve them." The boy's teacher, after this, gave the school, as an exercise in French verse, Turgot's line,¹ —

"Eripuit cœlo fulmen, sceptrumque tyrannis,"

for which young Richard had furnished this rather poor rendering: —

"A l'Olympe surpris il arracha la foudre,
Et d'un Tyran barbare il mit le Sceptre en Poudre."

A translation in the "Almanach des Muses," immediately after the line first appeared, was in these words: —

"Cet homme que tu vois, sublime en tous les tems,
Dérobe aux Dieux la foudre et la sceptre des tyrans."

¹ See vol. i. p. 410.

This is even worse than Richard's. Nogaret suggests, —

"On l'a vu désarmer les tyrans et les dieux."

A French correspondent, to whom we have already expressed our obligations, sends us this version : —

*"Par un double bienfait de deux fleaux vainqueur,
Il éteignit la foudre et détrône l'erreur."*

M. Artaud, in 1783, gave, —

"Ravir la foudre aux dieux et le sceptre aux tyrans,"

which preserves a certain rhythm, and is nearly literal.

For the first half year which follows that happy 20th of November which began a fit Thanksgiving week for all Americans in Paris, the tokens of the change of wind in the fickle climate of European favor, were, of course, vague and puzzling. Lord North was still at the head of the ministry until March. He had been in communication with Franklin through Hartley. But, after the vote of Feb. 28, Lord North was obliged to withdraw, and a new ministry was formed, with the Earl of Shelburne at the head, on the express understanding that the war with America must be finished. On the morning of that day, the House of Commons passed Gen. Conway's resolution, that "any minister would be highly criminal, and an enemy of his country, who should attempt to carry on an offensive war in America against the sense of the House." Edmund Burke at once wrote to Franklin to communicate the resolution, —and the announcement of it to him, therefore, has a certain dramatic fitness, coming from a friend not unworthy of such a charge. But, even then, the new ministry had to be formed, and the summer of 1782 was

well opened before the actual negotiations began in Paris.

As the reader knows, the French Government received the first news of Cornwallis's surrender. The message was brought by Lauzun and Segur, and the son of the Chevalier Delle. They proceeded at once to Versailles, and told their news. Young Delle says, "The Count de Maurepas wished to know every thing. He heard it all from M. de Segur and M. de Lauzun with the greatest interest, and ended by saying, 'I die content.'"

Vergennes at once announced it to Franklin in the note acknowledged by him at the end of our last chapter.¹ From that moment congratulations pour in on Franklin from all sources, private and public, and the credit of America, in every line, begins to rise. Chaumont, for so many years the host or landlord of the Commissioners at Passy, writes, on that very day, to say that Dr. B., who is probably Dr. Bancroft, is going to make his court at Versailles the next day, and wants copies of the despatches to send to Madrid.

In the passage already cited, in the letter to John Adams, covering the despatches for him from Washington, Franklin says, "The infant Hercules in his cradle has now strangled his second serpent, and gives hopes that his future history will be answerable." The emblem was too good to be easily forgotten. He gave directions, the next summer, for the fine medal which preserves it. His first design for it is thus described by himself: it should represent "the United States by the figure of the infant Hercules in his cradle, strangling the two serpents; and France by that of Minerva, sitting by as his nurse with her spear and helmet, and her

¹ Vol. i. p. 465.



THE INFANT HERCULES.

robe specked with a few *fleurs de lis*." (But as the medal was finally struck, the infant is on one side strangling the two serpents, and, on the other side, France, as Minerva, is fighting with the British lion.) The mottoes are, "*Non sine Diis animosus infans*," and "*Libertas Americana*" with the dates, July 4, 1776, Oct. 17, 1777, and Oct. 19, 1781. The mottoes were suggested by William Jones, afterward Sir William Jones. The most admirable artistic representation of this emblem is in the charming bas-relief by Mr. Horatio Greenough, on the pedestal of his statue of Washington, in front of the Capitol.

Franklin was so well pleased with his own conception that he refers to it again in a letter to Jay, of Jan. 19: "I forwarded to you Gen. Washington's despatches, by which you would learn the reduction of Yorktown and Gloucester. A great and important event. The infant Hercules has now strangled his second serpent that attacked him in his cradle, and I hope his future history will be conformable." Of the medal, when it was struck, he sent many copies to different correspondents. Writing to Livingston, to whom he sent copies for the members of Congress and of the government, he said, "I have presented one to the King and another to the Queen, both in gold, and one in silver to each of the ministers, as a monumental acknowledgment, which may go down to future ages, of the obligations we are under to this nation. It is mighty well received, and gives general pleasure."

On the 25th of November, the Masonic Lodge of the "Contrat Social" invites Franklin to a *Te Deum* in honor of Brother Floquet, and to the Lodge meeting, banquet, and concert which will follow. This enter-

tainment seems to have been an occasion of public congratulation for the victory.

Lord Rawdon, whose inhumanity in South Carolina was not forgotten for a generation, was taken prisoner by a French cruiser, and had an opportunity at Yorktown to witness the ceremony of Cornwallis's surrender. He also arrived in Paris at the same time with the critical news of that event. Jonathan Williams writes to his uncle, to enclose to him a newspaper, "in order to shew you the inhuman conduct of Lord Rawdon, now a prisoner in Paris. I do not expect to have him delivered up to a similar fate, though I think he deserves it, but I wish the court of France to know what a butcher they have in their hands."

It will be more convenient to the reader, that the whole history of the negotiation, from the first informal overtures to the end, shall be described in separate chapters. It is enough here to say that as early as February, Franklin was sounded by parties commissioned in England to know what were his powers, and what his wishes in the way of peace. The jealousies in the Rockingham ministry, which brought it to an end indeed, in three months, were probably the real reason of the delay in negotiation. In fact, nothing efficient was done until the autumn. Meanwhile, a due caution made it necessary to go on, just as if war were certain.

We, who read history after the event, are apt to think that every one knew, as Lord North did, that "all was over" in the surrender of Cornwallis. But this was not so. The Americans distrusted the English Government as completely as excited Irishmen, to-day, distrust Lord Salisbury's administration. The letters

from America, and the letters of our envoys in Europe, all speak, at least with doubt, of the prospect of active operations through the summer. On the sea, merchandise was in as much danger of capture by either party as ever. Lafayette arrived in Paris early in the winter. He received courteously and gracefully the honors to which he was entitled, and made himself immediately of use in preparations for a new campaign. In any study of the character or ability of Lafayette, about which there have been two very different opinions, it should be recollected that he made Franklin as fond of him in Europe as Washington was in America. Franklin respected his advice, and was glad to have his assistance. The following letter illustrates the variety of details, which were never-ending, in which the Commissioner for Peace, while he was negotiating, was obliged to make preparations for war:—

Lafayette to Franklin.

PARIS, February 12th, 1782.

DEAR SIR,—I had, the night before last, the pleasure to see Mr. [Temple] Franklin, and gave him some account of the situation, our affair was in, at that time. I can for the present be more particular and will relate what has passed respecting the letters of M. de Vergennes and the several articles, a list of which has been put into my hands.

I have represented to the Marquis de Castries that his assistance was absolutely necessary on the occasion. Had he not been rather short of means, he would have aided us more completely; but advised you should request M. de Vermerange to find a large vessel of 1200 tons or two of 600 each, but not less, and know from him what is the price demanded to carry our stores. It

will be better not to mention the Marquis de Castries, and by those means we may lay before him every proposition that will be made, so that, if they are exaggerated, or if no vessel can be found, we will avail ourselves of his assistance and authority.

The same Minister has also requested I would as soon as possible give him an exact memorandum of the stores on account of the United States, that are to be sent by the convoy of March; the number of tons is to be exactly specified. I will solicit for a protection to the very mouth of an American harbor. Should the vessels and officers be French, they would probably better understand, and keep close with the commander of the escort. The Minister has also very judiciously observed that we must not accept of any vessel under the size of 600 tons. He says the stores must immediately be collected at Brest, and the account of them be given to him as soon as possible. The moment the propositions from M. Vermerange are come to hand, I offer my services to carry them to Versailles and render the bargain as advantageous as possible to the United States.

Your excellency having requested my opinion respecting the importance of the several articles in a French list amounting to 1050 tons, I will only say that clothing, camp-equipage and powder are the most essential. Small arms come next, with their flints, &c. The howitzers and carriages I would reserve for the last. But if two vessels of 600 tons each may be easily procured at a cheap rate, I should think it important, to send, under that convoy, every thing that is already bought and is destined to North America.

I had the other day the honor to explain to Mr. Franklin the reasons why I imagined the *Alliance*

was entitled to the indulgence of a cruise, which has been positively promised by Congress. Should it be your Excellency's opinion, that she ought to cruise for some weeks, and then return to your commands toward the end of March, M. de Castries has promised that Barry will be permitted to get all American sailors in any French harbor for whom he will make an application.

I have had several conversations respecting the situation of American affairs. I am in a few days to be called into a committee of the three Ministers, which I have requested, because I think it better to debate with them all than to divide my opinion into separate conferences. In every answer to their questions I will endeavor to fulfil the views of your Excellency. And in case you are satisfied with your aid-de-camp, I am perfectly happy.

This is a very long epistle. I will now put an end to it, but not before I have presented your Excellency with the homage of the affection and respect I have the honor to be, with,

Dear Sir, Your Excellency's most obedient, humble
servant,

LAFAYETTE.

P.S. I hope M. de Guichen will have gone with these last north-east winds. Rodney has been some time on his way. There is a convoy going from Cork toward the end of this month, notice of which might be sent to Barry. All the ships of the line, with some troops, have left New York.

Lafayette himself would have been glad to act as French envoy in London, while the Treaty went on in Paris. It was remembered that a similar arrangement

was made during the negotiations of 1763. He loitered in Europe, to see if he could not be of some use in this way. One of the English agents asked him, one day, if he were to return to America. Lafayette said he had been waiting to see if England really wanted peace, — but now that he saw that she was fooling America, he should return to that country, to his place in the army, immediately.

This conversation took place a little before he wrote the following letter to Mr. Adams, at the Hague.

Lafayette to J. Adams.

PARIS, May 7, 1782.

I heartily give you joy, my dear sir, upon the happy condition of your Dutch negotiations. Everybody here congratulates me, not only as a zealous American, but also as your long professed friend and admirer.

And though the Court air has not so much altered my Republican principles as to make me believe the opinion of a king is everything, I was, the other day, pleased to have the King of France speak of you to me in terms of the highest regard.

This Dutch declaration in the present crisis, I take to be particularly important to the victory you have gained. I wish you may join a successful [*illegible*], and bring about an useful loan of money. I had a letter from Mr. Livingston dated February 19th. Nothing important in it but that he urges the necessity of a pecuniary assistance and the advantages we are to derive from operations in North America.

As this opportunity is safe, I may tell you that the French succour for this year does not exceed six millions of livres. So far as regards operations you have my hopes.

Mr. Franklin has the other day communicated a letter from you, and I entirely coincide with every sentiment you have therein expressed. It suffices to say the letter respected Propositions of Peace. I am entirely of your opinion that should England amuse us with commissaries not trusted with proper powers, it is not consistent with the dignity of America to continue the correspondence.

But I do not believe it will be the case. Mr. Oswald has returned to Mr. Franklin, a gentleman is expected to Count de Vergennes; it appears they wish for a general peace, our independence to be the ground of it; it remains to know how they understand it, the treaty to be negotiated at Paris.

I heartily wish for peace; this campaign in Europe, at least, is going to be a Spanish one; I think it the [interest] of America to have peace, at such conditions however, without which I had rather fight ten years longer.

I may, I hope, before long, converse with you in Paris, for in the position of affairs you will no doubt think it the sentiment of Congress and the people at large, that my presence at the French court is likely to help our cause better than my immediate return to America.

Mr. Franklin is very desirous you would come here, and I am the more anxious for it, as either before my departure, which I continue to announce as immediate, or in case propositions are seriously made, I have a great desire to converse freely with you.

This will be delivered by Mr. Ridley, to whom I have been more confidential than I should have hazarded to be by Post. Mr. Jay will have little objection to come,

and, as Mr. Franklin says, the Spaniards had four years, we may give them forty.

With the highest regard and most sincere affection, I have the honor to be, dear sir,

Your obedient servant,

LAFAYETTE.

The great name of "Montesquieu" in the index to the letters, wakens a hope that some scrap of literature or philosophy is to cross the rather dreary financial and political life of the Ambassador, although the great Montesquieu was long since dead. But we cannot fix our letter, as connected with him, or with the family of the Dukes of Montesquieu, or the Abbé, who in the next forty years filled places of more or less importance. The letter is only an offer of some cloths of this gentleman's manufacture, made in Languedoc, as fit for the American market,—and the Bishop of Puy writes to commend the proposal.

"L. F. de Bourbon" writes for a passport to secure his messenger to England against American cruisers. He is sending there to make a purchase of horses. Even allowing for French exuberance of expression, the language of the note seems unusually fervid, as addressed by a Bourbon, cousin of the King, to the son of a tallow-chandler. "You know, sir, the sincerity of my sentiments for you, of which at this moment, I beg you never to be in doubt." This Louis F. de Bourbon was the Duke de Penthièvre. His full name was Louis Jean Marie de Bourbon. He was born on the 16th of November, 1725, and died at Vernon, March 4, 1793, having attained through his life the reputation of purity and excellence of character. He led two regiments, which bore his name, with distinguished courage at the

battles of Dettingen and Fontenoy. He afterward lived quietly on his own estate for many years. His wife, Marie Therese von Modena, died in 1754, to his great grief, and in 1768 this loss was followed by that of his son, the Prince of Lamballe, who had ruined his life by dissipation. His daughter-in-law, the Princess Lamballe, is the lady whose execution, in the Reign of Terror, has excited so much sympathy. Several letters have been found in the French archives, relating to similar transactions through the war. It is a very curious illustration of the way in which dynastic or monarchical traditions were permitted to cross the lines of national life. Here is a near relative of the King of France buying his horses in England, and importing them into France, at a time when England and France were at war. And lest the horses should be seized by any French or American cruisers, he obtains permits from the governments of France and America, that the horses may pass through.

On the 6th of April the Chevalier Delfino notified Franklin that he had been chosen an honorary member of the Academy of Arts and Sciences in Padua. The diploma of membership still exists in the library of the American Philosophical Society. Franklin acknowledges the honor in this note:—

Franklin to the Chevalier Delfino.

Mr. Franklin is extremely sensible of the honor done him by the Academy of Sciences and Arts at Padua, in electing him one of their members, and of the very obliging manner in which M. l'Ambassador de Venise has been pleased to communicate to him the notice of that election. Mr. Franklin will himself make his acknowledgements to the Academy in a letter, and begs

M. l'Ambassador to be assured of his great and sincere respect.

Benjamin West, who had been a friend of Franklin's in the old Craven-street days, wrote to him in April the following letter:¹—

Benj. West to Franklin.

LONDON, April 28th, 1782.

DEAR SIR,— Your friendly remembrances of me by the bearer of this is so flattering, I could not permit his return to you without making my Acknowledgments by letter for so pleasing a mark of your esteem. It always gave me and Mrs. West the greatest satisfaction to hear of your health,—a confirmation I have not only received by your friend but have now before in a Bust; which he procured two or three days past, the likeness is strong and time seems to have made but little impression on the Original (as he appeared some years past in Craven Street) but in my family he has wrought great changes since you were with us. My Eldest son now in his sixteenth year has increased in height two inches above his father; and the other (your god-son) now in his tenth year bids fair to do the same, they with Mrs. West are in health and desire to be most affectionately remembered to you—my Eldest has greatly improved in painting, and I have determined to do my utmost to cultivate those talents which appear in him, that they may some day I hope be an Ornament to the profession, my other son is at school and shews great facility in learning what is to be his lot or profession is not yet determined. In regard to my own situation our mutual friend Mr. Whiteford can best describe in his interview with you—his arrend is to

¹ As we print from the original, we follow the eccentric spelling.

me a pleasing one and I pray every blessing may attend it, and your joint endavours to effect the wished for end — my kind compliments to your Nephew — and be assured I am with great regard and respect

Dear Sir

Your Obligated and Obedient Humble Servant,

BENJ. WEST.

The two artist sons of West scarcely made good their father's hopes. Nagler mentions Benjamin's name, but gives us nothing more. He says that but little is known of Robert, though probably some of his drawings are extant. He painted for the Boydell collection of illustrations of Shakspeare a scene from "As You Like It," Act IV., Scene 3, which was engraved by W. C. Wilson. In the Phillips collection of the Pennsylvania Academy there is a drawing on stone signed R. L. West, which may be by him. Nagler thinks that both of these sons helped their father in his work.

Mr. Sparks supposed that the portrait of Franklin, which was formerly owned by Mr. Edward D. Ingraham, now in the possession of Dr. Thomas Hewson Bache, and deposited by him with the Philadelphia Library Company, was painted by Mr. West; but, in this, Mr. Sparks seems to have been mistaken. The picture was painted by Benjamin Wilson.¹

Other correspondents in England renewed their communications with him, quickened, more or less, by the prospects of peace. Burke, Shelburne, Hartley, and Hutton, of course, Charles James Fox, Earl Grantham, Strahan, and Pownall, as has been said, are among these correspondents. The diplomatic letters will be

¹ There is a copy by Matthew Pratt, the Philadelphia painter. Or was Pratt's, perhaps, the original, and Wilson's the copy? The two were both on exhibition, together, in Philadelphia, in December, 1887.

noticed in their place, as connected with the treaty. The letter from Pownall, now printed, is that referred to in the later letter of July 5 from him, which is in Mr. Sparks's collection.

T. Pownall to Franklin.

RICHMOND, May 13th, '82.

SURREY

I have gott packed up this day 75 copies¹ sewed and 112 unsewed — which Mr. Bridges of Pater Noster Row will forward to Mr. Bowen as you desired — and I hope he will give you advice thereof — I hope Events will once more open by peace the Communications & Correspondence of Friends. I was in hopes to have had legal authority to have communicated with you on this Subject of Peace. But as there is one Person who always objects to me I now see I shall never be employed in Europe. I must not therefore to write either what steps I took or what I operated and effect of the steps I took in consequence of your Letter which I communicated to his Majesty's Ministers.

I am, D^r Sir, Your very humble Servant and I hope that Peace between our Countries will again before either you or I dye permitt me to say how much I have been Your old invariable friend of four or five & twenty years standing,

T. POWNALL.

P. S. I am puzzled about sending the Plate. I don't care to venture it in the Package with the Printed Copies I do not know how farr it may endanger their safety in the passage.

¹ Probably of his memorials on America, addressed to George III., and to the other sovereigns of Europe.

CHAPTER II.

THE FINANCIAL POSITION.

THE wretched organization of the Continental Congress, and its insufficiency as an executive body, never displayed themselves more sadly than in its loose financial make-shifts, which made for the European envoys endless confusion.

This sort of mismanagement did not cease with the hope of peace. Nor did order come in, immediately, with the appointment of Robert Morris to the Treasury. Long after that time bills would arrive in Europe, which had to be paid, of which no notice had been given, and for which, therefore, no preparation had been made. It may



ROBERT MORRIS.

be supposed, that, in some instances, notice may have been given in letters which were captured, or sunk to avoid capture. But it must be confessed, now that we have almost all the letter-books, that this excuse cannot often be maintained.

The letters which follow, belonging to the beginning of the year 1782, will explain themselves, perhaps. The reader should know that, as early as Dec. 5, 1781, Morris, having learned that the French Court had guaranteed a loan in Holland of ten million livres, had intimated, in some detail, how he would use it all. "I find," he wrote, "that the idea I had entertained as to

the advances made by the (French) Court was not so favorable as the truth, and that the ten million of livres, or five million of florins to be borrowed in Holland, will be over and above those advances." He then directs that one million florins shall be deposited with Grand, the American banker in Paris, as much more with the house of Grand in Amsterdam, that as much more shall be used in paying for goods which he orders, and that two millions in gold shall be shipped to America.

But at the very moment when Franklin received as grand directions as these, for the use of money which he had not received, he was pestered on all hands for money which he could not pay, and was instructed by Congress, in terms really humiliating, to ask for more. The coldest letter from our good friend Vergennes, in the whole series, is that of Dec. 31, 1781, in which he says, —

"I shall not enter into an examination of the successive variations and augmentations of your demands on me, for funds to meet your payments." Still, in the same letter, he consents to an advance of a million livres which Franklin had asked for. It is clear, however, that the tone of this letter, from a friend in whom he had full confidence, grieved Franklin; and his feeling is reflected in some of the letters which we now copy.

As early as Feb. 22, 1781, he had written to Mr. Adams in Amsterdam, an amusing note about the drafts made on them, which shows how nearly they were in despair.

Franklin to Adams.

Feb. 22, 1781.

I have lately made a fresh and strong application for more money. I have not yet received a positive answer. I have, however, two of the Christian Graces, Faith and

Hope; but my faith is only that of which the Apostle speaks, the evidence of things not seen. For in truth I do not see at present, how so many bills drawn at random on our ministers in France, Spain, and Holland, are to be paid; nor that anything but omnipotent necessity can excuse the imprudence of it. Yet I think the bills drawn upon us by the Congress ought at all risques to be accepted. I shall accordingly use my best endeavours to procure money for their honorable discharge, against they become due, if you should not in the mean time be provided; and if these endeavours fail, I shall be ready to break, run away, or go to prison with you, as it shall please God.

In the same strain he wrote, April 21,—

PASSY, April, 21, 1781.

Agreeable to my *faith* I have obtained a promise of money sufficient to pay the bills you have accepted, and shall accordingly accept those you draw upon me for that purpose.

I must now beg you would concur with me in writing earnestly to Congress, to hazard no more drafts where they have no funds. I believe there is hardly another instance in the world, of a people risking their credit so much, who unfortunately have so little, and who must, by this proceeding, if continued, soon have none at all. The necessity of their affairs is the only excuse for it. This Court is our firm friend, but the best of friends may be wearied, and worn out, by too frequent and unexpected demands.

I have the honor to be, Sir, &c.

With the news of the victory, in the end of November, even the Dutch money-lenders relented from their

exasperating terms, which Franklin had denounced in his most stringent fashion. A letter of his to Adams closes in these words : —

“By this time, I fancy your Excellency is satisfied, that I was wrong in supposing John de Neufville as much a Jew as any in Jerusalem ; since Jacob was not content with any per cents, but took the whole of his brother Esau’s birthright, and his posterity did the same by the Canaanites, and cut their throats into the bargain : — which in my conscience, I do not think M. John de Neufville has the least inclination to do by us, while he can get anything by our being alive.”

Mr. Adams had already attempted a loan, from which, however, he obtained hardly any thing. The ten millions which was lent in Holland, on the indorsement of the French Government, was almost entirely used up, in the purchases made by Jackson and Laurens, in the year 1781. And it was not until June of 1782, that proposals for a second loan, not indorsed by the French crown, were issued. When, in his letter to Jay, of Jan. 19, Franklin speaks of the Dutch loan as “completed,” he means that the last payment on the first of these loans had been made. When other letters speak of the Dutch loan as “waiting,” they mean the loan which was finally put on the market in the summer.

After the sad or cold letter from Vergennes, of the end of the year 1781, Franklin wrote on the 19th of January this letter to Jay, his other coadjutor in diplomacy, who was still cooling himself in the ante-rooms of slow and chilly Madrid. To him he explains the annoyances he had had with the Neufvilles, and those which came from the Dutch purchases made by Jackson, Laurens, and others, and his mortification in

having to confess his needs at the French Court. "I had worried this friendly and generous Court with often-repeated afterclap demands, occasioned by these unadvised (as well as ill-advised) drafts, and was ashamed to shew my face to the minister."

It is in this letter that he says that the Dutch loan is at length "completed." But alas! the country had long since "discounted its victories," to borrow the happy phrase used a century after, of Mr. Seward's diplomacy. "Unfortunately," Franklin writes to Jay, "it has most of it been eaten up by advances here." This was the ten million of which Morris writes so grandly, proposing to use four million for the "advances," and to spend the rest himself. Franklin's letter closes in these words:¹—

Franklin to Jay.

PASSY, 19 Jan., 1782.

. . . Speaking of your expense, puts me in mind of something that has passed between Mr. Adams and me relating to certain charges in our accounts, which I think ought to be communicated to you, that if you should be of the same opinion with us, you may charge as we propose to do, or if you are of a different opinion we may conform to it, for the reasons you will be kind enough to offer us. I therefore enclose copies of the two letters that contain the points in question. I wish not to be burthensome to our country and having myself no expensive habits, having besides no wife, or family to bring up, and living out of Paris, perhaps I should be as little incommoded by a reduction of some of those charges as any of my brethren, but as we are

¹ It is hard to say why these are omitted by Sparks, who prints the rest of the letter. See ix. 147.

to establish precedents, I would not have them such as may be oppressive to another, or to a successor differently circumstanced. . . .

I cannot express sufficiently my thankfulness to you for the kind and friendly manner in which you wrote concerning me and my grandson to the president of Congress. Be assured I shall ever bear it in remembrance. . . . Mr. Deane has written a very indiscreet and mischievous letter, which was intercepted and printed at New York, and since in the English papers. It must ruin him forever in America and here: I think we shall soon hear of his retiring to England and joining his friend Arnold.

To Mr. Adams, on the 11th of January, Franklin wrote thus, not relying, as will be seen, on the French loan:—

Franklin to Adams.

PASSY, Jan. 11, 1782.

SIR,—Your Excellency will see by the within, the situation I am in, and judge how far it will be proper for you to accept further drafts with any expectation of my enabling you to pay them, when I have not only no promise of more money, but an absolute promise that I shall have no more. I shall use my endeavours, however, but am not sure of succeeding, as we seem to have done what I have long feared we should do, tired out our friends by our endless demands to pay drafts unexpected and boundless. With the million mentioned, I can continue paying to the end of February, and then, if I get no more, must shut up shop.

I have the honor to be, with great respect, &c, &c,

On the 16th of February, Franklin directs his cashier to make out an account of the use which had been made

of the French Court's "Subsidy," or free gift of six million livres. The account in detail, as prepared for him, was this:—

Condition of the Account of the United States.

I have received from the "Foreign Affairs,"		
during the year 1781	Livres 4,000,000	
In the same time I have received from the Treas-		
ury at the written order of the Ministry:— On		
my promises to pay	Livres 2,216,000	
I have therefore given to M.		
D'Arvelay, from promissory		
notes payable with interest		
in 1788	Livres 4,000,000	
I have given to the Royal		
Treasury, 3 promissory notes,		
amounting to	2,216,000	
	6,216,000	6,216,000

These transactions therefore balance each other.

The King gives to us as a gratuitous subsidy .	Livres 6,000,000
And has procured for us in Holland the loan of .	10,000,000
	<u>16,000,000</u>

On this account there has been made five payments:—

1. Paid on account in money	
to Mr. Laurens	2,500,000
2. Cost of stores forwarded in	
May and June	2,069,109
3. Cost of stores, purchased to	
be forwarded in March, 1782,	2,570,000
4. Drafts of Mr. Morris on MM.	
de Conteulx	1,000,000
5. Remittances from Holland,	
delivered to Mr. Franklin .	1,430,000
	<u>6,450,891</u>
There is therefore due to us on	
this account a balance of .	6,450,891
	Livres 16,000,000

PASSY, 16 Febr., 1782.

This is an agreeable balance. Vergennes is not entirely satisfied, but admits that the Americans may draw for 2,234,000 livres; but there are 2,216,000 which he hopes to be excused from. Into this discussion the reader need not enter.

Franklin to Carmichael.

PASSY, Jan. 23, 1782.

DEAR SIR, — It is a long time since I have written to you, but I am not the less sensible of your obliging attention in writing to me. I have now before me your several favours of Sept. 15, Oct. 23, Nov. 8, and Jan. 11. Your communications are always agreeable, and I beg you would continue them, and continue also to excuse the want of punctuality in correspondence of an old man, who has been oppressed with too much business. The arrival of Mr. Barclay, appointed Consul General, will ease me a good deal, and I hope for the future to be more exact.

With regard to money matters, I am continually embarrassed by some means or other with fresh difficulties. I was told that no more random bills would be drawn after the beginning of April last, and I flattered myself with being soon at ease by paying off those issued before; but as they continue coming, drawn not only on Mr. Jay, but on Mr. Adams, Mr. Laurens, and myself, I begin to suspect that the drawing continues, and that the bills are ante-dated. It is impossible for me to go on with demands after demands. I was never advised of the amount of the drafts either upon myself or upon any of the other ministers. The drafts themselves that are directed to me, are indeed a justification of my paying them; but I never had any orders to pay those drawn on others, nor have I ever

received a syllable of approbation for having done so. Thus I stand charged with vast sums which I have disbursed for the public service without authority. In my present situation I cannot encourage Mr. Jay to accept any more bills. I think, too, *all things considered*, that if some of them must go back protested, it had better be from Spain than from either France or Holland. But I will do my best if possible to prevent it. I wish, with you, that we had contented ourselves with such aids as this kind and generous nation could afford us, and never sought to entangle ourselves with obligations to any others. . . .

I see advertised here, *Spanish ink of a fine black for writing*. From this, one would imagine that Spanish ink had obtained a character for blackness. If there is any of it to be had at Madrid, I wish you would use it in writing your letters; for my eyes not being very good, when the ink and paper are so nearly of a color, I find it difficult to read them.

Franklin to R. Morris.

PASSY, Jan. 28, 1782.

SIR, — I received a few days since by the Marquis de la Fayette, your several letters of Nov. 27, Dec. 3, et Dec. 4, with the papers referred to, the reading of which gave me great satisfaction, as they show the steps you are taking with so much zeal, judgment and activity for putting into good order our finances, and restoring the public credit. My notice of this opportunity to write is so very short, that I cannot now answer those letters, but shall do it fully by the Alliance, who I understand cannot make the cruise proposed for want of hands and therefore may the sooner return. I enclose a copy of my last, written when I was much dejected

by the embarrassed situation the drafts had brought me into. I have yet obtained no assurance of relief; but since the arrival of the Marquis I have some hopes.

And again he writes, "Tho' I cannot yet give you any as to the twelve millions¹ you demand, I shall see the minister on Wednesday, and will immediately after write to you by all opportunities. Mr. Barclay is still in Holland. I delivered your letter to Mr. Grand. With the sincerest esteem, I am,
Sir, &c.

Franklin to R. Morris.

PASSY, Jan. 28, 1782.

SIR,—I wrote a few lines to you this morning, and understanding that the courier is not yet gone off for Brest, I have time to acquaint you, that our good friend the Marquis, whom I have just now seen, has been at my request with all the ministers, spent an hour with each of them, pressing with all the arguments possible a further supply of money for the ensuing campaign; and being better acquainted with facts, he was able to speak with greater weight than I could possibly do. He finds that the general determination had been not to furnish any more money: and tho' he thinks he has so far prevailed as that the matter may be reconsidered and possibly some may be obtained, which however is far from being certain, he does not imagine it will be much, and that therefore it will be best for us to act as if none were to be expected. I shall see M. de Vergennes to-morrow, and shall write you farther by the first opportunity.

I will add one short reflection, that wrong estimates

¹ Of livres. Morris's letter speaks of florins.

are often made of a friend's abilities; and borrowers are apt to say, "help me with such a sum, 'tis to a man of your wealth a trifle." They are ignorant that the demands constantly made upon him by the course of the expense he is necessarily engaged in, may be equal and perhaps exceed his incomes. And it is grinding to be pressed for loans in a manner that obliges a man, either to seem unkind by refusing, or to disclose his own inabilities. Let us be assured that if we do not obtain another loan, it is for want of good will to us.¹

With great regard, I have the honor to be, &c.

Franklin to John Adams.

PASSY, Feb. 12, 1782.

SIR, — I received the honour of yours dated the 7th inst. acquainting me with the presentation of several more bills drawn on Mr. Laurens. I think you will do well to accept them, and I shall endeavour to enable you to pay them. I should be glad to see a complete list of those you have already accepted. Perhaps from the series of numbers and the deficiencies, one may be able to divine the sum that has been issued, of which we have never been informed as we ought to have been. Ignorance of this has subjected me to the unpleasant task of making repeated demands which displease our friends by seeming to have no end. The same is the case with the bills on Mr. Jay and on myself. This has among other things made me quite sick of my Gibeonite office, that of drawing water for the whole congregation of Israel.

¹ This last sentence seems as though it should be, "it is not for want," etc. It stands in the *Letter Book* (copy) "Another Loan it is for want of Good Will," etc.

Franklin to R. Morris.

PASSY, March 4, 1782.

SIR, — With this you will receive copies of my two letters dated Jan. 28 and another dated the 30th. Since which I have been continually in perplexity and uncertainty about our money affairs. I obtained a sketch of the account mentioned in my last. You will see by letters that I enclose that I endeavoured to correct it, and make it 2,216,000 livres more in our favour, but without success. I have pressed to know whether we were to expect any pecuniary aids this year or not: our friend the Marquis assisted me much. The affair was some time in suspense. At length the minister told me we should be aided, but must not expect it to be in the same proportion as last year. Friday last he was so good as to inform me that we should have six millions paid quarterly of which 1,500,000 ls. would be ready for us at the end of this month. I shall now be able to face the loan office and other bills, and my acceptances in favor of Mr. Beaumarchais, and I will do as much as I can out of the 6,000,000 towards fulfilling your orders of paying and depositing money in other hands. But when you observe that the Dutch loan which you conceived might be entire with me and at your disposition, has suffered such large deductions, you will not expect much: and your hopes of 12 millions for the present year falling short by one half (as appears at present) you will arrange your affairs accordingly and prevail on our people, if possible, to do more for themselves.

Franklin to Morris.

April 8, 1782.

The bills accepted by Jay, — and afterward protested for non-payment, are come and are coming back to

France and Holland, and I have ordered them to be taken up and discharged by our banker. I hope none will be returned to America.

As late as the 25th of June, Franklin was obliged to write to Morris the following letter, which will show how much he was annoyed in these transactions, and how slowly his relief came.

Franklin to Morris.

25 June, 1782.

"If he (Mr. Barclay) has orders to make such purchases it is very well. His large drafts upon me, however, to pay for them, and for a ship, and to discharge other demands, may be very inconvenient, and distressing to me before the year is out; as I have had the fullest and fairest warning not to expect or hazard the want of more than the six millions promised us for the present year. This indeed is duly advanced in quarterly payments. But I am so frequently attacked by unforeseen demands, that I can by no means assure myself of having a sufficiency. I have acquainted Mr. Grand with this opportunity of writing, and I suppose you will receive from him a state of our cash, which I have requested him to send you as often as possible. You will also have from me a copy of the replacing account above mentioned, if the transcribing can be finished in time.

We have not yet got clear of our miserable affair in Holland. Captain Gillon, you have heard, went away without taking under his convoy, two vessels which he himself had hired to receive out of his ship the goods he had engaged to carry in here. The owners then stopped the vessel, charged high damages, and detained the goods. I have received yesterday from Mr. Bar-

clay, an account of Messrs. Neufville, wherein the charges occasioned by that operation of Gillon's are made to amount to near 40,000 florins. Mr. Barclay proposes to settle it by arbitration. I suppose by right it is Gillon who should pay whatever is awarded; but where shall we find him? Perhaps since his success in the West Indies, he may venture into an American port, in which case it would be well to secure him, and make him account for the 10,000£ sterl. he received of me in consequence of his agreement with Col. Laurens. . . . With regard to my contract for furnishing provision to the French army in America, as Mr. Necker had not so much faith in its being executed as I had, and never advanced me a livre on that account; and as I found it would be difficult to settle prices here as you proposed, I have chosen not to push it. It seems therefore not necessary that you put yourself to any further trouble in that affair. If any quantity has been furnished by you, it is a debt contracted with you, and of which you may expect payment there, I being upon the point of liquidating all our accounts with the government here, and giving one general obligation for the whole sum that the King has lent us, (exclusive of gifts or subsidies), which sum amounts to 8,000,000 l's. By the particular obligations I had from time to time given for separate sums, I had engaged in behalf of the Congress that they should be paid off the first of January, 1788, with the interest at 5 per cent. By the terms of this general obligation, which is in form of an agreement or contract between the King and the United States, his Majesty graciously considering that it may incommode the United States to pay the whole sum at one time, is pleased to agree that it may be paid in 12 different yearly payments, to commence with the first year after

the peace ; leaving, nevertheless, to our choice and liberty the payment of any greater proportions at more early periods, as may be convenient to our finances. His Majesty also, kindly and generously, remits all the interest already accrued on my former obligations, or that would have accrued thereby to the end of the war which is already a considerable sum. With regard to the 10,000,000 borrowed in Holland ; we have that, at 4 per cent, and we are to pay the interest annually here, on the 5th of November, the first payment in November next : and after 5 years, we are to begin to repay the principal in ten yearly payments, so that after 15 years that debt may be discharged. The charges of commission and banque on this loan have been considerable, and paid by the King ; these also his Majesty is pleased to remit. Those repeated instances of his goodness toward us make me consider and respect and love him as our father. I shall send you a copy of this contract as soon as it is completed. Perhaps the first payment may be settled to be the third or fourth year after the peace. And since the King takes every opportunity of showing his good will to us, I dread disobliging him again, as I have already too often done, by large and repeated demands, and therefore hope your drafts will not exceed what I shall be able to pay.

In writing to Morris, in detail, on the 12th of August, he goes over the ground with care. The "contract," as he calls it, with the French Court, was then but lately completed. "The term of the first yearly payment we are to make was readily changed at my request, from the first to the third year after the peace : the other marks of the King's bounty towards us will be seen in the instrument. The interest already due and forgiven, amounts to more than a million and a half.

What might become due before the peace is uncertain. The charges of exchange, commissions, brokerage, &c., of the Dutch loan amount to more than five hundred thousand livres, which is also given, so that we have the whole sum net, and are to pay for it but four per cent."

The American reader knows, that it is only in recent times, of high prosperity, that his country has borrowed money on terms as favorable as these. He also knows, however, that any entreaty from Franklin, or any one else, made in the year 1782 upon Congress, to induce them to raise money at home, fell upon deaf ears. The States were exhausted, and, with rare exceptions, would not contribute to the national treasury. The attitude of Congress was humiliating. It placed Franklin and his colleagues in a false position eminently annoying. Like a spendthrift son or other reckless young man of business, who has tested two or three times the liberality of a rich friend, Congress, not content with the French King's generosity of the last winter, or with the two Dutch loans of 1781 and 1782, instructed Franklin to ask for more, as coolly as if they had any claims on the French treasury. In the sharp passage at the end of the year 1781, when Vergennes administered his hardest reprimand to his American friend, there is an allusion to this appeal. To Franklin, just recovering from his illness, it must have been misery to write the letter. He did write it however, and Vergennes was so loyal to his importunate allies and to their cause, that he answered it favorably. Whether Franklin never sent the letter home, or whether it was lost, it is impossible to say, but we believe the letter has never been printed until now.

Franklin to Vergennes.

PASSY, Nov. 8, 1782.

SIR, — The Congress disregarding the proposals made by Sir Guy Carleton, and determined to continue the war with vigour, till a peace can be obtained satisfactorily, as well to the King as to themselves; (as will appear by their resolves hereto annexed) but being disabled by the great deficiency in their taxes arising from various temporary causes, have found it absolutely necessary to borrow another sum in Europe, which they have accordingly directed me to endeavour by all means possible. The necessity of this measure is so clearly expressed, in the letters of Mr. Morris their financier, and Mr. Livingston their secretary, which are subjoined, that there is little occasion for any remarks of mine; I shall therefore only observe that from what passed in some of the last conferences we had with the English negotiators here, I apprehend peace to be still at a distance, and that another campaign can scarcely be avoided; our enemies being well informed of our present distresses for want of money, and conceiving great hopes that we shall nowhere find a supply. The Congress on this important occasion have therefore sent a packet-boat express with their orders to me to implore the aid of His Majesty, our friend and father, which I hereby do most earnestly from a full conviction that unless the loan is obtained, our army can neither be kept up nor safely abandoned.

With the greatest respect, I am, Sir,

Your Excellency's

On the 14th of December, Franklin was able to write to Livingston that he had presented at Court the

recent appeal of Congress, and that it would be considered, though the French finances were embarrassed. He acknowledges the assistance which he had received from Lafayette in his instances with the government. The same letter expresses his satisfaction that the arrival of Barclay, as Consul General, will relieve the ministers from the care of these annoying financial transactions. At this very time, when he was pressing Vergennes for money, the prejudices of his colleagues in the Commission compelled him to wound Vergennes by the secrecy in which the preliminaries with England were ratified.

In the same letter he says, "The finances here are embarrassed, and a new loan is proposed by way of lottery, in which it is said by some calculators, the King will pay at the rate of seven per cent. I mention this to furnish you with a fresh convincing proof against cavillers of the King's generosity toward us, in lending us six millions this year at five per cent, and of his concern for our credit in saving by that sum the honor of Mr. Morris's bills, while those drawn by his own officers abroad have their payment suspended for a year after they become due."

Two months later, Vergennes gives to Franklin the following statement as to the financial relations of the two nations at the period of the peace. To this statement, never printed until now, Franklin afterward refers. It is indorsed by Franklin, "Extract from the Contract made at Versailles the 21st day of February, 1783, by Count de Vergennes to B. Franklin.

"Article 2d. For better understanding the fixing of periods for the reimbursement of the six millions at the royal treasury, and to prevent all ambiguity on this head, it has been found proper to recapitulate here the

amount of the preceding aids granted by the King to the United States and to distinguish them according to their different classes — The first is composed of funds lent successively by his Majesty, amounting in the whole to the sum of eighteen million livres, reimbursable in specie at the royal treasury in twelve equal portions of a million five hundred thousand livres each, besides the Interest, and in twelve years, to commence from the third year after the date of the peace; the Interest beginning to reckon at the date of the peace; to be discharged annually, shall diminish in proportion to the reimbursement of the Capital, the last payment of which shall expire in the year 1798.

“The second class comprehends the loan of five million Dutch florins amounting by a moderate valuation to ten million Livres Tournois, the said loan made in Holland in 1781 for the service of the United States of North America under the engagement of the King to refund the Capital with Interest at four per cent per annum, at the general counter of the States General of the United Provinces of the Netherlands, in ten equal portions, reckoning from the sixth year of the date of said loan and under the like engagement on the part of the Minister of Congress in behalf of the 13 United States, to reimburse the ten million of said loan in ready money at the royal treasury with interest at four per cent per annum in ten equal portions of a million each and in ten periods from year to year the first of which shall take place in the month of November, 1787, — the last in the same month, 1796, the whole conformable to the conditions expressed in the Contract of 16th of July, 1782.

“In the third class are comprehended the Aids and Subsidies furnished to the Congress of the United

States, under the title of gratuitous assistance from the pure generosity of the King, three millions of which were granted before the treaty of Feb'y, 1778 and five millions in 1781 which Aids and Subsidies amount on the whole to nine million Livres Tournois. His Majesty here confirms in case of need the gratuitous gift to the Congress of the said Thirteen United States."

On the 5th of February, 1784, Franklin writes to John Adams: —

"It is a pity that the good purpose of your voyage, [journey] to save if possible the credit of Mr. Morris's bills could not be accomplished by your obtaining a loan from the Regency. I do not wonder at their declining it, nor at the stop you mention as put to the general loan by the news of the diversity of sentiment among the States about the plan of imposts.¹ I hope these mischievous results will at length convince our people of the truth of what I have long since wrote to them that the foundation of credit abroad must be laid at home. When the States have not faith enough in a congress of their own choosing to trust it with money for the payment of their common debt, how can they expect that Congress should meet with credit when it wants to borrow more money for their use from strangers."

Laurens's lamentation on the carelessness of Congress is sufficiently illustrated by one extract from one of his long letters: —

"'Tis lamentable to see a whole nation, a fine promising young nation too, treading in the steps of a thought-

¹ Congress had proposed a uniform national impost of five per cent in each State. Slowly the commercial States assented, each on condition that the others would consent. But the plan fell through, from the refusal of Rhode Island.

less, profligate planter, running in debt for principal and interest, and principal created for imaginary discharges of interest, until his creditors divest him of his estate, real and personal, and turn himself and family out of doors.

“Or do our Governors of Finance lean upon the principles of old Gaillard of Santee? ‘You ask me,’ said the old man to his neighbors, ‘how can I sleep under such a load of debts. Pah, Pah! Ask Paul Jenys and the rest of my creditors how they can sleep.’ But Paul Jenys soon found his land and negroes.”

The loan of 1784 was negotiated so readily, that, as early as April 15, Franklin receives an intimation from the Dutch bankers, that “we have become in a situation to pay due honour to every disposal we have hitherto advice his excellency Robt. Morris Esq., Superintendent of Finance, has been pleased to make on us.”

From this time Congress made no more demands on the King, having, indeed, no claims, and but little to spend money for. The American people provided for a National Treasury, and for filling it, by establishing the new Constitution, in 1787. It is a satisfaction to the American reader to know, that, before the time fixed for the payments to France, Hamilton was at the helm of the Treasury in America. The payments were regularly made, as promised, and were among the few reliable resources of the famished finances of France, in the years when they came due.

CHAPTER III.

THE BEGINNING OF THE NEGOTIATIONS.

“YOU will see by the English papers which I send to Mr. Secry Livingstone, that the sense of the nation is now fully against the continuance of the American War.” So Franklin wrote on the 9th of March, 1782, to Morris.¹ “The petitions of the cities of London and Bristol were unanimous against it,” he goes on. “Lord North mustered all his force, yet had a majority against him of nineteen.² It is said there were but two who voted with him that are not place-men or pensioners, and even these, in their private conversations, condemn the prosecution of the war, and lay it all on the King’s obstinacy. We must not however be deceived by these appearances. That nation is changeable. And tho’ somewhat humbled at present, a little success may make them as insolent as ever. I remember when I was a boxing boy, it was allowed even after an adversary said he had enough, to give him a rising blow. Let ours be a douser.” Two days afterward, he wrote to John Adams, then at Amsterdam, “I congratulate you on the change of disposition in the English nation with regard to America. Misfor-

¹ “I congratulate you,” he also says, “on the success of the bank. I have wrote to Mr. Bache to interest me in a share.”

² On Gen. Conway’s motion “for putting an end to offensive war with America.”

tunes make people wise, and at present they seem to be in the way of obtaining wisdom. But a little success this campaign will make them as foolish and insolent as ever."

In answer to this, Adams wrote to Franklin on the 26th of the month, beginning, "One day last week I received, at Amsterdam, a card from Digges inclosing two letters to me from Mr. David Hartley." Digges had been sent over by the North Ministry (or, rather, stated that he had been sent by them), to see what were the chances of detaching America from France. As is well known, he did nothing of importance.¹

Franklin knew Digges well. His opinion of him had been settled for about a year.² "He is the greatest villain I ever met with," he had written to Conyngham only a month before this. This being Franklin's opinion, it was curious that Hartley should have given Digges a letter of introduction to the Doctor, as he did.³ Digges never presented the letter in person, but sent it to Franklin. On the 5th of April, Franklin, having received this letter, wrote to Hartley, "As to Digges I have no confidence in him nor in anything he says, or may say, of his being sent by ministers." But it is probable that Franklin was here in error.

A few days before this, Franklin, on a hint from Rayneval, sent to Vergennes all the letters he had received from Hartley, or any one else in England, on the subject of peace. Vergennes expressed himself as giving his entire approbation to the manner in which

¹ ADAMS'S Works, vii. 554.

² "I received your favour of the 12th inclosing the letters you mention, which prove the villany of Digges." — Franklin to Hodgson, April 25, 1781. See vol. i. 342, 347, 348, 354.

³ SPARKS'S Franklin, ix. 179.

Franklin had proceeded. The French Minister, at the same time, communicated to Franklin the fact that Forth, another emissary of the North Ministry, had been in Paris to sound "the Minister of France on the pacific disposition of his Court and to offer very advantageous propositions." Such were the expiring efforts of the North Ministry to separate the Allies, and to obtain a separate peace either from America or France.¹

Before Digges had got back to London, the North Ministry had resigned, and whatever plans might have been subserved by the missions of Forth and Digges were scattered to the winds. Digges, on the 2d of April, wrote in an intimate manner to Adams, "that the entire kick-up of the great ones" made much noise, and gave universal satisfaction. Every thing rested with Lord Shelburne, he went on to say, with whom he (Digges) was fortunately intimate, so that matters might still go on well.²



LORD SHELburne.

Franklin, though by no means absolutely intimate with Lord Shelburne, had been acquainted with him, in times past. On the 22d of March, having a good opportunity,

¹ Franklin writes to Livingston, March 30, "They are here likewise endeavouring to get us to treat separately from France, at the same time they are tempting France to treat separately from us, equally without the least chance of success."

² Digges to Adams. ADAMS'S Works, vii. 562. With this it is interesting to compare a letter from Shelburne to Oswald, dated June 30, 1782. "In regard to Mr. Digges, you may assure Dr. Franklin that he need be under no uneasiness about his connection with Sir Guy Carleton. He is now in London, and my knowledge of him is merely this—He had been, it seems, employed by the late Administration in an indirect commission to sound Mr. Adams, which scheme appears to have had no consequences. The man was afterwards recom-

and with a due appreciation of the state of public affairs in England, he wrote to Lord Shelburne, —

PASSY, 22 March, 1782.

MY LORD, — Lord Cholmondely having kindly offered to take a letter from me to your lordship, I embrace the opportunity of assuring you of the continuance of my ancient respect for your talents and virtues, and of congratulating you on the returning good disposition of your country in favour of America, which appears in the late resolutions of the Commons. I am persuaded it will have good effects. I hope it will tend to produce *a general peace*, which I am sure your Lordship, with all good men, desires, which I wish to see before I die, and to which I shall, with infinite pleasure, contribute every thing in my power.

Your friends, the Abbé Morellet and Madame Helvétius, are very well. You have made the latter very happy by your present of gooseberry bushes which arrived in five days, and in excellent order.

With great and sincere esteem, &c &c

“Soon after this,” remarks Franklin, in his Journal, “we heard from England that a total change had taken place in the Ministry, and that Lord Shelburne had come in as Secretary of State.”

mended to me but having heard by accident a very indifferent account of his character, and particularly that Dr. Franklin had a bad opinion of him, I, from that moment resolved to have nothing to do with him.”

We may also add an extract from a letter from Jonathan Williams to Franklin, written in Dublin, June 17, 1785. “You will not be surprised,” he says, “when I tell you that Mr. Digges, who had so much of the prisoners’ money in the same prison. He had been playing the rogue in this country, (Ireland), but, like all other cunning rogues, has shewn himself to be a fool, — and is now paying severely for his folly and wickedness.” With this Digges seems to disappear from history.

In point of fact, Lord North resigned on the 20th of March. A week later the Rockingham Cabinet was formed, with Shelburne and Fox as Secretaries of State. This fact coming to Franklin's knowledge, he wrote to Robert Morris as follows:—

"Since my last of the 30th past we hear that the old Ministry are all out to a man, and that the new Ministry have kissed hands, and were about to enter on their



CHARLES JAMES FOX.

respective functions. As yet we know nothing of their projects. They are all of them men who have in Parliament declared strongly against the American War as unjust. Their predecessors made various separate and private essays to dispose us to quit France, and France to forsake us; but met with no encouragement."

The new ministry were, as Franklin remarked, each of them pledged to a discontinuance of the war.¹ But there was no absolute agreement as to the means by which this end was to be accomplished. The Marquis of Rockingham, the First Lord of the Treasury, was at this period the leader of the Old Whigs. "Few men have ever ruled a party more absolutely," says Lord Russell. At present, however, the Marquis was a sick man, and his part in the ensuing negotiations was not considerable. The real leadership of the party belonged to Charles James Fox, one of the Secretaries of State.

¹ "Lord Shelburne is the only new minister suspected of not wishing to go the length of declaring American Independence." — Digges to Adams, Works, vii. 562.

The other Secretary was Lord Shelburne, the leader of the New Whigs, so called. It was through one of these two that a beginning would naturally be made for a peace with America.

It had been the custom in previous ministries to have three Secretaries of State,—one for the states of Southern Europe, Home, Ireland, and the Colonies; one for the other European countries; and a third for America. This third secretaryship was, in the Rockingham Cabinet, abolished. A new and more natural division was made. Fox became Secretary for Foreign Affairs, Shelburne for Home and the Colonies, and, being considered the successor of the southern Secretary, had seniority in rank. The question now arose as to which should have charge of the American negotiation. It naturally belonged to Shelburne,¹ whose mind seems to have been busy in conceiving methods for avoiding immediate or ultimate recognition of American Independence. But it was the policy of Fox to acknowledge the Independence of America at once; one effect of which would have been that the negotiations would have been transferred to his own department. This difference of opinion is the key to the early proceedings in the negotiation.

In spite, however, of differences of opinion, Shelburne at present had the business in his hands, and, receiving at about this time the letter which Franklin had sent by Lord Cholmondely, he decided, with the concurrence of his leading colleagues,² to send an emissary to Franklin to see what might be done in the way of

¹ "The negotiations for peace with the belligerents belonged naturally to Fox." — RUSSELL'S *Life and Times of Fox*, i. 303.

² How far Oswald's mission was communicated by Lord Shelburne to his colleagues does not appear.

negotiation. They considered as to who would be the best man to send, and thinking it best to send somebody who would be personally agreeable to Franklin, they thought of William Hodgson, one of his English correspondents, but finally determined to send Mr. Richard Oswald of Auchencruive, who, it is said, was already personally known to Franklin.¹

Oswald arrived at Paris on the 12th of April, bearing letters from Shelburne and Henry Laurens. He at once called on Franklin, and they entered into conversation; for, as Franklin remarks, "He was represented as fully apprised of Lord Shelburne's mind, and I was desirous of knowing it." Oswald assured Franklin that England was ready to treat for peace. Franklin assured Oswald that America would never treat except in concert with France. He suggested that they should call on Vergennes, and Oswald acceded to the proposition. On the 17th of April they called on Vergennes, who received them with great civility. The interview lasted for an hour, Rayneval interpreting, as Oswald was not "ready in speaking French." At the end of the conversation, Oswald determined to return to London, and Franklin wrote him a letter to take to Shelburne, stating that he was greatly pleased at the overtures made by Oswald, and that he hoped that a negotiation might begin. He added that he desired no other channel of communication with Lord Shelburne than Mr. Oswald.

This letter he gave to Oswald to read before sealing it, and subsequently entered into conversation with him. The subject of the conversation was the advisability of

¹ Oswald speaks in his *Diary* of meeting Franklin during a former visit to Paris; but Franklin, in his *Peace Journal*, speaks as though he met Oswald in 1782 for the first time.

a cession of Canada to the United States by Great Britain. While he was talking, Franklin held in his hand certain "Notes for Conversation," — "some loose thoughts on paper, which I intended to serve as memorandums for my discourse, but without a fixed intention of showing them to him." This paper Oswald desired to see, and after some delay Franklin allowed him to see it, and also to take it away with him, on the promise of its return. With the paper in his pocket Oswald set out for London.

On returning to London, Oswald made his report to Shelburne, and gave him Franklin's letter and the "Notes for Conversation." Shelburne showed the "Notes" to Lord Ashburton only, of the whole Cabinet. The letter he presented at a Cabinet meeting, and on the 23d of April the Cabinet decided to send Oswald back to Paris to settle with Franklin the business of opening a general negotiation for peace. Mr. Fox was also directed to send "a proper person to make a similar communication to M. de Vergennes." Fox selected Mr. Thomas Grenville as the proper person; and Oswald and Grenville set out for Paris, where they arrived, the one on the 5th, and the other on the 7th, of May. We may gather from the following papers which Oswald took with him to Paris something as to the views of Shelburne. It must be seen that they were quite opposed to Fox's theory of unconditional and immediate acknowledgment of independence.

MEMOIR OF GENERAL INSTRUCTION ENCLOSED AS FOLLOWS.

"*Memorandums to Mr. Oswald in Conversation 28th.*

April 1788. 2.

A copy of the Cabinet minutes to be shown to Doctor Franklin, but he must have no copy of it. A fleet of



upwards of 40 ships in the West Indies, — highly probable that we shall intercept the reinforcement of the three ships for de Gras, the French Islands in great distress.

A blow or two at sea may decide a great deal.¹ Insist in the strongest manner, that if America is independent she must be so of the whole world. No secret, tacit or ostensible connection with France. If the Negotiation breaks off, all our rights in America to stand as before.

Remarks on the Private Papers.²

1st. Why does he say that he does not know of the Americans having any intention of making Claims of Indemnification, he and others having full powers? That is not open. No reparation to be thought of. The money spent in America is more than sufficient indemnification for all particular losses. Lord Shelburne has a manuscript of Sir William Petty to send in return for this paper. The title of it is to show that Ireland would have been in a state of poverty and uncivilized savageness if it had not been for the money expended by the English in their wars in that country.

All ideas of a supposed justice in claims of indemnification to be disowned, and if started to be waved as much as possible. It is reasonable to expect a free trade unincumbered in duties to every part of America. Make early and strict conditions not only to secure all debts whatever due to British subjects, but likewise to restore the loyalists to a full enjoyment of their rights and privileges. And their indemnification to be considered. Lord Shelburne will never give up the loyalists.

¹ Rodney's victory was on the 12th of April.

² Namely, the "Notes for Conversation."

The Penn family have twice been sadly used, and Lord Shelburne is personally interested for them, and thinks it his duty to be so for all.

The private paper desires Canada for three reasons.

1st. By way of reparation. Answer. No reparation can be heard of.

2nd. To prevent future wars. Answer. It is to be hoped some more friendly method will be found.

3rd. Loyalists, as a fund of Indemnification to them. Answer. No independence to be acknowledged without their being taken care of. A compensation expected for New York, Charlestown, and Savannah. Penobscott to be always kept.

Private, to be Burnt.

No part to be communicated to D F but with the greatest confidence. And not to be mentioned to the French Minister or any other person.¹ A separate letter — good faith. Separation of America from England, a misfortune to America. Federal Union. No man more determined in what may be promised in an opposite line — it will be done roundly, and so as to obviate occasions of future war. So far, as regards Lord Shelburne personally, would be naturally his lordship's idea. But foresees infinite difficulties to reconcile people to good sense however obvious. That Doctor Franklin should not be deceived by the cry of the country for peace and in favour of America. The country at large is no way reconciled to Independence. Many important people are quiet for the present, counting upon Lord Shelburne resisting it. To tell Dr. Franklin that if this negotiation goes off, the war will be pushed with

¹ Naturally not, Vergennes's idea from the beginning having been to weaken England by detaching America.

the utmost vigour. Large measures now in contemplation. Those biassed to peace, failing of a successful negotiation, will be obliged to broaden the bottom for the purpose of carrying on the war. And other opinions will come forward. Tell him (candidly and confidentially) Lord Shelburne's position with the king. That he was sent, to form the ministry. That his lordship will make no use of it but to keep his word with mankind and is under as little apprehension of being deceived himself as unwilling to deceive others, in short that he knows the bottom to be sound.

Oswald delivered also to Franklin a letter from Shelburne, and showed him, according to his instructions, the minutes of the Cabinet meeting on the 23d of April, but left him no copy. He assured him that the disposition of the Ministry was for peace, and acquainted him with Mr. Grenville's appointment. The next Monday, Franklin and Oswald called on Vergennes, but the conversation does not seem to have been of great importance. "On the whole," Franklin wrote in his Journal, "I was able to draw so little of the sentiments of Lord Shelburne, who had mentioned him as intrusted with them, that I could not but wonder at his being again sent to me, especially as Mr. Grenville was so soon to follow."¹

It is not, perhaps, possible for us, any more than it was for Franklin, to make out exactly what were Lord Shelburne's sentiments at just this time. After two or three months talking, much later in the summer, Shelburne, sincerely desirous of peace, was ready to grant

¹ Although Grenville had been appointed to confer with Vergennes, it seems to have been generally thought that he would have much to do with Franklin.

independence before a treaty, and not as the price of a treaty. At this time, however, he had probably not convinced himself that an unconditional grant of independence was necessary. He had in his mind views, or at least desires, of some possible scheme of federation, though doubtless not clearly defined. He was at any rate desirous of making the grant of independence, if it were necessary, a portion of the treaty, and the price of a peace. That he sincerely desired peace, and a lasting peace, cannot be doubted. That his conduct, through this negotiation, was dictated by this desire, and not by any factious intriguing for personal advancement, seems also evident to the careful reader of all the letters. Conscious, however, of the difference of opinion between himself and Fox, he felt it necessary to proceed in such a manner as convinced his colleague that he was merely using the incidents of the American negotiation as means of unprincipled self-advancement.

On Fox's position certain light will be thrown by two letters from Grenville, who arrived at Paris on the 7th of May, and shortly after wrote as follows:—

Mr. Grenville to Sec. Fox.

PARIS, May 10, 1782.

SIR,—Having arrived at Paris on the 7th, I accompanied Mr. Oswald on the 8th to Mr. Franklin at Passy. Mr. Franklin told me that Mr. Laurens, Mr. Jay, Mr. Adams, and himself, had full powers, all or any of them that should be present, to bind Congress by any treaty to which they should subscribe, that Mr. Adams was very much busied in forming a treaty with the Dutch, and therefore could not come to Paris; but that he expected Mr. Laurens and Mr. Jay very soon; that, as to the connections of America with France, America

was free from every sort of engagement but those which existed in the two public treaties of Commerce and Alliance, and that those two treaties were such as any other nation was free to make with America; that America had been greatly obliged to France, and must shew her good faith in the observance of her treaties. I said that the extent of that obligation was what I wished him to consider, and whether in the independence of America, if that should be the basis of a treaty, he did not see gratification enough for France. He said it was a great deal, but that Spain might want something, he supposed would want Gibraltar, and that perhaps it would be of little use now we had lost Minorca, and had less commerce to defend. I told him I hoped Spain would be found to entertain no such idea, that the opinion of the whole nation and those who understood its interests best, was, I believed, so decided upon that subject, that I hoped it might make no part of any negotiation that looked to a prosperous conclusion. He immediately said it was nothing to America who kept Gibraltar. I trusted therefore, I said, that things foreign to the quarrel would not be permitted to break off a treaty and lead America on in a war where she could find no interest. . . . In this, as well as in a subsequent conversation, his language, in manner as well as substance, expressed a very earnest and unaffected wish for peace, tho' always with profession of a strict adherence to the treaties America had made.

Grenville goes on to speak of his call on Vergennes with Franklin. There was some unofficial talk of peace. Grenville continues:—

He (Vergennes) said he could not allow the Independence of America to be the only cause of war, for

that France had found and not made America independent; but that, even supposing that true, I must not forget, that tho' the last war began only upon the subject of Nova Scotia, we had not confined ourselves to that at the peace . . . He wished for a treaty of peace more just and desirable than the last, and that the two principal objects they should attend to were justice and dignity . . . (of the peace of 1763 Vergennes said) that he could not read the last peace without shuddering (*sans frémir*) and that in making a new treaty they must be relieved from every condition in which their dignity had been hurt. . . .

Having thus, sir, endeavoured to state to you the most material parts of the conversations I have had in the three days that I have passed here, you will not, I am persuaded, expect much comment upon them. Perhaps however it may not be unnecessary to add that M. de Vergennes' manner expressed a very strong persuasion that England must make infinitely more important sacrifices to give to a negotiation much prospect of success, the line of the last peace seeming to be that which of all others he and M. d'Aranda were most intent upon excluding from the present negotiation. . . .

I have the honour to be with great truth and regard

Sir,

Your very obedient humble servant.¹

Mr. Grenville to Sec'y Fox.

PARIS, May 14th., 1782.

SIR, — The letter which I sent to England by Lausun will, I flatter myself, have engaged your attention to those difficulties that seemed from what could be col-

¹ These two letters should be read with care. They seem important, as having had some influence in Lord Shelburne's change of mind regarding Independence and Federation.

lected from M. de Vergennes's conversation to attend the very first step in this business. Upon further considering those difficulties, they seem to demand such extraordinary attention to the form and nature of the first proposition which his Majesty's Ministers may be disposed to make, that I shall presume to trouble you with a few lines upon the subject, and have very readily concurred in the inclination Mr. Oswald has expressed, to go himself to London, in order to state them as fully as he is capable of doing.

Everything that I have hitherto seen and heard, leads me to believe that the demands of France and Spain will be found such as it will be difficult, perhaps impossible for England to comply with, as they are at present conceived; that Spain looks to Florida and Gibraltar, that France looks to very essential alterations in the state of the Newfoundland fishery, to perhaps more than Grenada in the West Indies, and to very extensive surrenders of commerce and territory in the East Indies. It is from the expectation the courts of Madrid and Versailles entertain of being supported by America in these claims, that they will derive the greatest confidence in making them; and if so, whatever measure could be found practicable to weaken that support, or to give France and Spain even the apprehension of losing it, would be to take from them the strongest ground of their pretention to a negotiation, and could it be effectually done, would put them more within our reach in the prosecution of a war. It is true, that the present state of America's connection with France and the good faith she professes to observe in it, has given no prospect for proposing to make with her a separate and distinct treaty; but, whether by giving in the first instance Independence to America,

instead of making it a conditional Article of general Treaty, we might not gain the effects, tho' not the form of a separate treaty; whether more would not so be gained in well-founded expectation than would be lost in substance; whether America, once absolutely possessed of her great object, would not be infinitely less likely to lend herself to other claims than if that object should remain to be blended with every other and stand part of a common interest; whether the American Commissioners would think themselves warranted, after such a measure, in adhering to the demands of France and Spain, or whether supposing that they should, the Thirteen Provinces would consent to the carrying on the war upon such motives; whether, too, the Treaty now forming with Holland would not so be baffled in its object, and that we should have, as it were, concluded with America before she had finally engaged herself with Holland: all these are questions which seem of immediate and important consideration, and, I must say, for my apology in venturing to state them, arise more from the critical situation of things, than from any opinion I can presume to form about them. Should I not however add that Mr. Franklin's conversation has appeared to me to glance towards these ideas? While he was with me this morning, he went so far as to say, that when we had allowed the Independence of America, the treaty she had made with France for gaining it ended, and none remained but that of commerce, which we too might make if we pleased. He repeated, that he did not know what France would ask or would expect to be proposed, but mentioning immediately the article of Dunkirk, I confess that by putting his conversation together, I was distantly led to suppose, that in case of America's being first satisfied, she might be more

likely to save the honour of her good faith, by supporting France in such articles as that of Dunkirk, than in the more extensive claims upon the West Indies. He ended by saying that he saw the consideration of so many interests might make the business very tedious, but assured me that whatever influence he had at this Court, should be used to accomodate things. He had too, once before, said that in forming a Treaty there should, he thought, without doubt, be a difference in a Treaty between England and France and one between England and America, that had always been at amity. In these expressions, as well as in a former one, where he rested much on the great effect that would be obtained by some things being done *spontaneously* from England, I think you will perhaps trace something, not altogether wide of these ideas, which, I suppose, may have weighed with him: what weight they will have in your better judgment is not for me to consider. I conceived it important to state them, and after that, have but to receive your orders upon the subject; repeating only that as yet there seems little hope of a successful negotiation with France; and that America, which was the road to the war, seems to offer the most practical mode of getting out of it, perhaps too, threatens the greatest danger if she continues in it.

I have the honour to be

Sir,

Your very obedient humble servant.¹

The main point of Charles Fox's policy was the unconditional grant of independence to America before the discussion of the articles of the treaty began. This

¹ Much of Grenville's correspondence is in BUCKINGHAM's Courts and Cabinets. But these two letters have never, we believe, been printed till now.

view was warmly applauded by John Adams in Holland,¹ who utterly distrusted Shelburne, because he made no such professions. But beyond this, it is difficult to state Mr. Fox's views. There are not wanting those who aver, that, in this matter, Fox was urged by no higher motives than "faction and passion,"² or personal motives. But others hold that the idea of granting independence to America in the first instance was a necessary part of a well-conceived line of policy. Fox desired a near alliance with the Northern powers. He believed that this object would be subserved by a "rapid negotiation," which would insure the conclusion of what he believed would be a favorable peace.³ It is hardly necessary to form an opinion. But in all probability, Fox had other views than a mere desire to do the fullest justice to America. We have small doubt but that he hoped to detach America from France,⁴ to himself assume charge of the negotiations, and to conclude a peace with the United States, and then, with America and the Northern powers both friendly, he would stand in a better position to extort better terms from France, Spain, and Holland, or even to continue the war if needful.

As for Franklin, he could have little idea as to what might or might not be the policy of Shelburne⁵ or of

¹ "How much nobler and more politic was Mr. Fox's idea to insert the 'ministers of the United States' expressly" in the commission to treat. — ADAMS'S Works, viii. 613.

² WHARTON, Appendix to 2d ed. International Law.

³ FITZMAURICE, Life of Shelburne.

⁴ "From your letter there are surely great hopes of detaching America from France." — Fox to Grenville, May 21.

⁵ Shelburne, also, had thoughts of detaching America. On the 5th of June he wrote to Carleton and Digby in America a full account of the negotiation as far as it had proceeded. This letter has been printed, and is well known. After the narrative part, he continues,

Fox. He had a good opinion of Shelburne's honesty and sincerity, and was able to behold with equanimity, proceedings which caused Adams to inveigh bitterly against the trickery of the English Minister. At present, however, he had little to go upon, save this good opinion. Oswald was but an informal agent, and even informally, he did not, as we have seen, give Franklin any clear idea of Shelburne's sentiments. As for Fox, Franklin despatched a short and cordial letter to him, and, as we have seen, seems to have shown a disposition to be open with Mr. Grenville. But Mr. Grenville was himself, as yet, only an informal agent. He had as yet no commission, although he had sent for one. Franklin's whole attitude in this part of the negotiation was that of a man who waits for whatever may occur, having no strong hopes of good fortune, ready to avail himself of it should it come, but not to be disappointed if it do not.

On the 17th of May, Mr. Grenville called upon Franklin, and told him that the courier he had de-

"I have given a confidential information to you of these particulars, that you may take such measures, as shall appear to you most adviseable for making a direct communication of the substance of the same either immediately to Congress, or through the medium of general Washington, or in any other manner, which you may think most likely to impress the well disposed part of America with the fairness and liberality of His Majesty's proceedings in such great and spontaneous concessions.

"The advantages we may expect from such communication are:— That America, once apprised of the King's disposition to acknowledge the independence of the Thirteen States, and of the disinclination in the French Court to terminate the war, must see that it is from this moment to be carried on with a view of negotiating points in which she can have no concern, whether they regard France, or Spain and Holland, at the desire of France; But some of which, on the contrary, may be in future manifestly injurious to the interests of America herself— That if the negotiation is broke off, it will undoubtedly be for

spatched to London had returned, and had brought him full powers in form to treat for a peace *with France and her allies*. Why he told him just this, does not plainly appear. The powers, as a matter of fact, related to France alone, as Vergennes informed Franklin a day or two later. "They want," he said, "to treat with us for you, but this the King will not agree to. He thinks it not consistent with the dignity of your state." Grenville, in a subsequent conversation with Franklin, allowed that his commission did not expressly mention the allies of France, but said that he was empowered by his instructions as he had stated. He also said that he had sent a courier for full powers, that should satisfy all parties. These new full powers arrived on the 15th of June, and were similar to the previous ones, "except, that after the power to treat with the King of France or his Ministers, there was an addition of words importing a power to treat with the Ministers of any other Prince or State whom it might concern." This did not exactly meet Franklin's views.¹ But as it was his idea

the sake of some of those powers, and not of America, whose object is accomplished the instant she accepts of an Independence, which is not merely held out to her in the way of negotiation by the executive power, but a distinct, unconditional offer arising out of the resolutions of Parliament, and therefore warranted by the sense of the nation at large.

"These facts being made notorious, it is scarcely conceivable that America, composed as it is, will continue efforts under French direction, and protract the distresses and calamities which it is well known the war has subjected her to. It is to be presumed that from that moment she will look with jealousy upon the French troops in her country, who may, from allies, become dangerous enemies."

¹ SPARKS, ix. 344. Nor was Adams better pleased. He writes however to Franklin, "The discovery that Mr. Grenville's power was only to treat with France does not surprise me at all." Adams had no belief in the sincerity of Shelburne, and considered the whole business to be little more than an artifice to raise stocks.

that the British Ministry proposed to conduct the two negotiations separately, he did not greatly trouble himself about Mr. Grenville, but assured Mr. Oswald that he should be much pleased if it should be the desire of the Ministry to intrust him with the American negotiation.

In London, meanwhile, affairs did not go very well. The two divisions of the Cabinet could not agree. Fox, however, endeavored to make a point. He laid his views before the Cabinet on the 23d of May, and the result was, that, at his proposition, it was agreed to advise the King "to propose the independency of America in the first instance, instead of making it a condition of a general treaty." To the mind of Fox, this Cabinet resolution acknowledged the independence of America. He resolved, that, when the question of appointing an envoy to negotiate with the Americans should come up, he would claim that the question naturally lay within the province of the Secretary of Foreign Affairs.

Such was the position of Fox, when he received a letter from Grenville, which set him still more against his colleague, and, in fact, quite convinced him that Shelburne had been intriguing in an underhand manner to obtain entire control of the American negotiation.

Fox and his particular friends had no great trust in Shelburne. Burke, whatever he thought of the noble Lord at this moment, saw fit, a month afterward, to hint in the House of Commons, that the only point wherein he differed from Catiline and Borgia was in lack of brains. Sheridan, who wrote imprudent but amusing letters to Grenville, remarks that, "If the business of an American treaty seemed likely to prosper in your hands, I should not think it impossible that Lord Shelburne would try to thwart it." The original appointment of

Oswald, made without the advice or knowledge of the whole Cabinet, had appeared to them suspicious. "He is a Scotsman and belonging to Lord Shelburne," remarks Sheridan. These young men, eager to make some brilliant stroke, eager for the reputation of their idol "Charles," were very suspicious of Shelburne, and of the "city negotiators," so called. These suspicions appeared to them confirmed by the letter from Grenville, which contained the following information:—

Grenville said that he had considered for various reasons that his mission was particularly to converse with Franklin.¹ From what intercourse he had had, he had formed very sanguine expectations of gaining the confidence of that gentleman. An appointment had been made for a private conversation. Before this appointment came around, however, Oswald returned from London, and had an interview with Franklin, so that, when Grenville came to the conversation, Franklin was very guarded and close. The reasons for this, Grenville held to be that Oswald had assured Franklin that it was Shelburne's intention to appoint him (Oswald) as commissioner to treat with the American Ministers.² The view of a negotiation with the Americans, separate from the negotiation with the other powers, seems now to have occurred to Grenville's mind for the first time. As additional proof of Shelburne's duplicity, he mentioned the "Notes for Conversation," which Oswald had shown Shelburne, and which that minister had not shown to all other members of the Cabinet. It seemed evident, therefore, to Grenville, that Shelburne was not to be trusted. His advice to

¹ He had been appointed especially to converse with Vergennes.

² As a matter of fact, Oswald did not tell Franklin this till after the interview with Grenville.

Fox was, that some peer of high rank (Lord Fitzwilliam, nephew to the Marquis of Rockingham, was mentioned) should be appointed to take charge of the whole negotiation.

Fox was unwilling to accede to this opinion. He agreed with Grenville in regard to the importance of the news. "The two principal points which occur are the paper relative to Canada, of which I never heard till I received your letter,¹ and the intended investment of Mr. Oswald with full powers, which was certainly meant for the purpose of diverting Franklin's confidence from you into another channel. With these two points we wish to charge Shelburne directly." They did not charge Shelburne with them directly. In fact, nothing was done, either at Paris or at London, for the moment. Fox was waiting to hear again from Grenville. He continued to bring before the Cabinet the question of unconditionally acknowledging the independence of America, for it appears that there was a difference of opinion in regard to the interpretation of the minute of the 23d of May. Each time the decision was against Mr. Fox, who thereupon determined to resign. He had been supported by the Duke of Richmond, Lord John Cavendish, and Admiral Keppel, against Lords Shelburne, Thurlow, Ashburton, Camden, the Duke of Grafton, and Gen. Conway. The Marquis of Rockingham did not vote on these occasions. His health, weak at the time that he formed his Ministry, had utterly given way. On the 1st of July he died. It was the desire of Fox and his friends that

¹ It will be seen that Fox imagined this paper to be of a formal character, which it was not. It was given Oswald simply to assist his memory in detalling the conversation to Shelburne. It now vanishes from the negotiation, and never produced any effect but to stir up dissension between Fox and Shelburne.

the Duke of Portland should succeed him. The King appointed Shelburne, and Fox at once resigned.¹ He was followed by Lord John Cavendish, Mr. Burke, Mr. Sheridan, and several others.

A substantially new Ministry thus had in hand the American negotiation. Shelburne being at the head, there was no question as to the basis to be adopted. Fox's place was filled by Grantham, Shelburne's by Mr. Thomas Townshend. Mr. Grenville was directed to assure Vergennes that the disposition of the new Ministry was pacific.

Franklin at Passy seems not to have clearly comprehended the drift of affairs, nor was there any way in which he could have done so. "I have received a note," he writes to Oswald, "informing me that some opposition given by his Lordship to Mr. Fox's decided plan of unequivocally acknowledging American independence, was one cause of that gentleman's resignation; this, from what you have told me, appears improbable. It is further said, that Mr. Grenville thinks that Mr. Fox's resignation will be fatal to the present negotiation. This perhaps is as groundless as the former." To Shelburne he wrote congratulating him on his appointment to the treasury,—"an extension of your power to do good."

Yet he had continued his intercourse with Oswald, who had presented himself again at Paris on the 31st of May, after a second excursion to London. He had delivered to Franklin the letters with which he had been charged, and informed him that it was the plan of the ministers to give any character to him "which Dr. Franklin and he may judge conducive to a final settlement of things between Great Britain and America."

¹ The best statement of Fox's position is in LECKY, iv. 238.

Dr. Franklin pointed out that the best way to proceed would be to treat separately with each party, by means of separate commissioners for the several nations, and expressed a desire that Mr. Oswald should be appointed to the American negotiation. It was this proceeding that Grenville complained of so bitterly in his letter of June 4, as proving the duplicity of Shelburne.

Fitzmaurice is sure that Franklin's reserve, which so troubled Grenville, was not caused by Oswald's communications (made June 5), because Grenville's interview occurred on June 3. It seems hardly possible to doubt the justice of this conclusion.

As yet, Oswald had no commission to treat, for the enabling act was not passed till late in June, and after that time the dissensions and final break-up of the Cabinet rendered it impossible for one to be sent him. Nevertheless Franklin held informal intercourse with Oswald, as did also Mr. Jay, who arrived in Paris on the 23d of June. On the 9th of July Franklin communicated to him certain points¹ which he thought would

¹ These conditions were divided into two sets. The *necessary* articles included, —

1. Independence full and complete in every sense, and all troops to be withdrawn.
2. A settlement of the boundaries of the Thirteen States.
3. A confinement of the boundaries of Canada, to at least what they were before the Quebec Act, if not to narrower limits.
4. A freedom of fishing on the banks of Newfoundland and elsewhere for fish and whales.

The advisable articles contemplated

1. Indemnification of many in America who had been ruined by the destruction of towns.
2. Some sort of acknowledgement by Act of Parliament, or otherwise, of the error of England in distressing the colonies as she had done.
3. Free trade between the two countries.
4. The cession of Canada and Nova Scotia.

Franklin distinctly intimated that the Loyalist question could not be considered.

have to be considered in the negotiation, and these conditions were communicated to Shelburne by Oswald. Having gone so far, Franklin waited to see what the next few days would bring about.

It is difficult for us, after a century, to put ourselves in the position of the negotiators in Europe, or of Congress, or that of the leaders of the army in America, during the long delays which we have described. The reader may see, in other chapters of this book, how individuals, like Lafayette and others, were affected by them. Rodney's great victory discouraged the allies, and led them to distrust the sincerity of England. But in truth, there was no wavering in the English councils, though that great victory did give the ministry the right to demand better terms than they could have insisted on before.

CHAPTER IV.

THE PARTIES TO THE NEGOTIATION.

AT this point the negotiation of the treaty may be said to begin. What had gone before amounted to little beyond the intrigues of the British Cabinet. Now come, however, the actual appointment of commissioners and the actual discussion, in a practical way, of the bases of the proposed treaty, and of the questions to be settled. For some time yet there may seem to be much manœuvring, and nothing but manœuvring, but it all tends toward the end.

Here it seems proper to make some remarks upon the various persons concerned in the business. We can hardly gain a clear view of the succeeding transactions without a knowledge of certain of the different characteristics and ideas of the actors. And, not only shall we have to acquaint ourselves, as well as may be, with each as he really was, but we shall have to know what his associates thought he was, before we can feel that we comprehend the position.

The resignation of Fox had left Shelburne the master of the American negotiations in the British Cabinet. Whatever may be the opinion of Shelburne's proceedings at the commencement of the negotiation, it seems to us that few can fail to admire his position through its later stages. He was vigorously attacked in England when the treaty came to light; but, if his position

can be brought clearly to view in the following pages, it will be seen that Shelburne played the part of a sincere, skilful, and wise minister; that he desired honestly the good of all parties, while looking out for the interests of his own country; that he strove unceasingly for what he held to be right, rather than for what he thought would redound most to his own credit.

Shelburne was not famous, in his day, for sincerity. He was nicknamed "*Malagrida*," and his enemies were never tired of imputing to him the most Jesuitical of ideas.¹ Yet in the matter of the American negotiation, Shelburne was undoubtedly sincere and straightforward. On the questions which arose, he formed his opinions, and then endeavored to carry them through, openly and honestly. There was no underhanded intriguing, no factious disturbance. He sought to gain his ends by reasons dictated by broad views of statesmanship, economy, and humanity. If he saw the propriety of changing his opinions, he changed them. On the question of independence, his views went through a change as the negotiation advanced, but it does not appear that at any time these views were dictated by motives of personal ambition. On the 2d of April, Digges wrote to Adams, "Lord Shelburne is the only minister suspected of not wishing to go to the length of declaring American independence; but I think his good sense and excellent information of things in America must make him think the measure a necessary one, whatever he may hold out as his intention." It appears that Shelburne had continually in mind, at this time, some idea of a federal connection between Great Britain and America. That these views were presented to Franklin as early as May,

¹ *Malagrida* was burned alive in 1761 by the Inquisition. He was a Jesuit, suspected of conspiracy against the King of Portugal.

we have already seen, but it nowhere appears that Shelburne continued to cherish this idea. "Upon the whole," wrote Franklin to Vaughan on the 11th of July, "I should believe that, though Lord Shelburne might formerly have entertained such an idea, he had probably dropped it before he sent Mr. Oswald here."¹ That this was the case, we shall see by a letter from Shelburne to Oswald of the 27th of July. "You very well know that I have long since given it up decidedly," is his language, going on to say that he is "most anxious, if it is given up, that it shall be done decidedly, so as to avoid all future risque of enmity. . . . My private opinion," he adds, "would lead me to go a great way toward Federal Union."

Having resolved to give up independence, Shelburne, mindful of his duty to his country, would have given it up *as the price of a peace*, as is openly stated in his letters of about this time.² But finding that this would not satisfy the American Commissioners, nor the French Court, he went even farther, and acknowledged the independence before the actual negotiation began. Failing in his project of a federal union between Great Britain and the United States, he conceived of a close alliance between the two nations, in which case any advantage gained by America would naturally become in a measure gain to England. Having no faith in Fox's schemes for an alliance with the Northern powers, and small hope of an alliance with France, America was the only power left, and alliance with her seemed necessary. There was nothing in his posi

¹ Although he allows that Vaughan's suggestion, and others of the same nature, have made him incline to be suspicious.

² Shelburne to Grenville, 28th June, — a letter which Shelburne directed to be shown to Franklin.

tion throughout which was not open, consistent, and sincere.

We cannot, therefore, in this point agree with John Adams, who, being without accurate information, distrusted Shelburne's sincerity. "My hopes of a speedy peace are not sanguine," he writes Lafayette on the 21st of May. "I have suspicions of Lord Shelburne, Dunning and others." And again, "In Lord Shelburne's sincerity I have not the smallest confidence," in writing to Jay. And this opinion he held until he had been at Paris for some little time. "Thus you see, there is no proof of Shelburne's sincerity," he writes to Dana on the 17th of September. And again, "I have my doubts still whether it is the sincere intention of the Earl of Shelburne," as late as November 6.

Adams was, however, not alone in his opinion of Shelburne. Vergennes, in writing to Luzerne on the 12th of August, remarks that Fox had desired freely and loyally to grant independence to America and to gain a general peace, while Shelburne had had no other aim than to deceive everybody concerned, and especially to incite the Americans to acts of treachery.¹ And in the same letter he speaks of Shelburne's "crooked policy," and the "complete proof of the inconsistency of which Lord Shelburne has been accused." But it is not improbable that Vergennes subsequently changed his opinion. Some time afterward, Rayneval, after several personal interviews with the English minister, writes to his chief, "Lord Shelburne is not ignorant of the suspicions which have been and probably still are

¹ Cf. Vergennes to Franklin, 28th July: "It appears that Lord Shelburne has more in view to produce a division between the King and the United States, than to promote a just and durable peace." — SPARKS, ix. 374.

entertained in France, as to his straightforwardness, and he feels them the more, in proportion as he believes that he has not deserved them. I venture to be of the same opinion, and if I say so, it is because I consider that my personal acquaintance and conversations with Lord Shelburne have placed me in a position to know him personally. . . . A man such as I have described is not ordinarily either false or captious, and I venture to say that Lord Shelburne is neither the one nor the other, whatever persons may say who imagine they know him, but imagine wrongly."

Fortunately for the success of the negotiation, it was not with Adams nor with Vergennes that Shelburne had to deal in regard to peace with America. With Franklin it would seem that there never were two opinions in regard to the man.¹ We must judge from the whole correspondence, from every thing that we have read, that the two understood each other perfectly. And to the complete confidence which existed between these two great men, we owe, as much as to any thing else, the honorable and successful completion of the treaty.

Although Jay had by no means the same knowledge of Shelburne as Franklin, nor the same confidence in him, yet he was far from sharing the vigorous suspicions of Adams. Like Adams, he distrusted almost every foreigner with whom he had to deal. He was at first defiant in regard to England; but subsequently his suspicions of France led him to rely implicitly on the good sense and sincerity of Shelburne, and he was not deceived in them.

In regard to other points in Lord Shelburne's character, it is hardly necessary to be particular in this place. That he was a man of far more than the average ability,

¹ Although vague suspicions may have crossed his mind.

a broad-minded and steadily liberal man, and yet rather a cold and unsympathetic man, was agreed by all of his own time who had any intercourse with him, as it has been agreed by historians since. It seems also that he was of a temperament somewhat jealous and suspicious, and that he tended toward artifice and manœuvre in his political methods. But the great point necessary to be appreciated in the matter of the American treaty, is that Shelburne was not the underhanded deceiver that Adams and Vergennes imagined, but sincerely desired peace at the best terms that could be arrived at,—the best terms being those that would most surely prevent the re-approach of war.

Of Jay, the English negotiators early conceived a good opinion. It would indeed have been strange if his many great qualities had made no impression upon them. Oswald speaks repeatedly of his good sense. At first, it is true, the Scotchman thought him somewhat prejudiced against England. He mildly deplored the fact that Jay, "being a much younger man [than Franklin] and bred to the law," would have in all probability the larger share of the negotiation; for he feared that Jay's hard and defiant feelings toward England would make him a difficult man to treat with. But it does not appear that this fear was well founded. On the other hand, he remarks afterward that Jay, "although he never was there," seemed to possess a sincere regard for England, an instance of which he takes pleasure in quoting to Shelburne.

Nor had Oswald been alone in forming a good opinion of Jay. Fitzherbert writes to Grantham that his "disposition seems to be in general much more open and unreserved than that of his colleague, Dr. Franklin." And he subsequently wrote to Shelburne, "I must

say, in justice to Mr. Jay, that he has always appeared to me to judge with much candour and consistency of the true interests and policy of his country as considered in relation to the three Powers of Europe." Lord Shelburne had no personal knowledge of Jay, and probably his opinion of him was formed from the reports of Oswald and Fitzherbert.

At this time the French Court did not share these views of Jay's character, although Gérard some years before had described him to Vergennes as "a man of enlightened mind, exempt from prejudice of any sort, and capable of lofty views." But Vergennes, who knew none of the envoys intimately, except Franklin, wrote to Luzerne in the middle of October, that the American agents did not "shine by the soundness of their views or the adaptation thereof to the political condition of Europe. . . . They have all the presumption of ignorance," he continued, "but there is reason to expect that experience will ere long enlighten and improve them." To tell the truth, there was no particular way in which Vergennes should have arrived at a very high opinion of Jay's sagacity; for the two, in the few instances in which they came in contact, invariably disagreed.¹ And it is more than likely that Jay, whose Spanish experience had rendered him suspicious of all foreign diplomacy, by no means adopted a manner which was likely to conciliate the Frenchman.

For Jay's position changed as the negotiations proceeded. Beginning, as Oswald notes, with a defiant

¹ In the first place, in regard to d'Aranda's commission to treat; and in the second, in regard to Oswald's. In each case, Jay could not see the force of Vergennes's arguments, and such ignorance more than any other cause leads the arguer to distrust the common sense of the person to be convinced.

distrust of England similar to Adams's, and a reliance on France engendered to some degree by Franklin's confidence in the French Court, and by the favorable nature of his first impressions of Paris, he shortly changed his position completely. Jay had, of late, had but little trust in Spain. His experience in that country had been of a nature largely to increase any suspicions. On reaching Paris, he found France and Spain very closely united. In his negotiations with d'Aranda, he found that Vergennes sided with Spain in a manner which he thought directly hostile to the United States. Information which came to him afterward, convinced him that Vergennes was intriguing against the interests of the United States in the settlement of the peace. He therefore applied to the French the views he entertained in regard to the Spaniards.¹ Becoming thus alienated from his own allies, it became necessary for him to throw himself into the arms of England, and this he did without reserve; and finding every thing according to his views, he conceived a high esteem for the ministers of that country, and a great confidence in them. The change seems to us to have been a most natural and necessary one.

Of Mr. Oswald it is not difficult to form a fair idea. He was a Scotchman of some property, both in Scotland and in America, and, on account of his possessions in the latter country, had been at times consulted by the government during the carrying on of the war. He was a man of much sense,² some breadth of mind, of liberal

¹ Nor was he wholly incorrect in his ideas. The interests of the United States, and the policy of France and Spain, were not at this time by any means harmonious.

² "Mr. Oswald's correspondence," wrote George III., "carries the marks of coming from a man of sense."

views, and, like Lord Shelburne, belonged to the advanced school in political economy and general political science which is represented to us by the name of Adam Smith. With all his good qualities, however,—and he was painstaking, earnest, industrious, broad-minded, unprejudiced, and honest,—it appears to us that he was not exactly cut out for an opponent to three such men as Adams, Franklin, and Jay.¹ He was originally appointed because it was thought he would be agreeable to Franklin, whom the English ministry desired to conciliate. He was continued because Lord Shelburne had conceived for him a confidence which appears to have been based solely upon his good qualities, and one or two additional facts, without regard to his failings. For Oswald was not a model diplomat. He was not a keen man: he was far too apt to be led away by the plausible talk of the American negotiators. Nor was he an astute man, for he was seldom sufficiently guarded in his own conversation, and there is little doubt that he told much which a more practised diplomat would have left unmentioned. But perhaps these drawbacks were more than counteracted by his good qualities.

It is certain that the Americans found him a very good man to deal with. Franklin several times sets down in his diary the appreciation which he had of Oswald's good points.² On hearing of Oswald's departure for London, he writes that he is "really concerned at the thought of losing so good a man as Oswald." And later he makes the same remark: "The truth is, he

¹ "Oswald, a prosperous Scotch merchant, was, as Franklin says of him, an old man who had 'nothing at heart but the good of mankind, and putting a stop to mischief.' But he does not seem to have been fit to cope with a consummate philanthropist like Franklin."—Edin. Rev. vol. 131, p. 334.

² Or his weak points, says LECKY, iv. 227, 229.

appears so good and so reasonable a man, that, though I have no objection to Mr. Grenville, I should be loth to lose Mr. Oswald." Mr. Adams also had the best of opinions of Oswald, and wrote to Livingston, "The English have sent Mr. Oswald, who is a wise and good man, and if untrammelled would soon settle all."

It must be allowed that the American envoys would have been hard to please had they not approved of Oswald as a negotiator. In no case did he act counter to their views, when he was once convinced of their wisdom. In the very beginning, when Franklin offered the plan for the surrender of Canada, Oswald agreed with him that it was not impossible that such a measure might be wise. As the negotiation continued, we find again and again, that, whenever the American envoys had any plan which they thought would inure to the benefit of both parties, they had only to explain it to Oswald, to accompany it with the reasons which their own sagacity and far-sightedness suggested, and they were sure to convert the British envoy to their own view. This may have been all very unprejudiced and honest and open, but it would hardly have coincided with the views of a practised eighteenth-century diplomat, whose chief ideas were to tell only what he must, to get all that he could, and to grant only just what was necessary. Evidently Oswald was no diplomatist.

To tell the truth, our view of the fitness or unfitness of Oswald must depend largely on the point of view from which we look at these peace negotiations. If we take them to be a contest of wits, a game where each side was doing its best to gain a point, to overreach the other, an upheaval of the world's good things in which each nation was to get what it could, — why, then Oswald was not the most suitable man. But if we

only suppose Shelburne, Franklin, Adams, and Jay to have been merely honest and able men, who, being called to the direction of the world's affairs, were striving, as best they could, to manage those affairs in the best way they knew, and to accommodate as well as might be the misunderstandings of two great nations, — then Oswald was no bad choice.

In considering the position and character of Vergennes, we must always recollect that he was a French diplomate of the eighteenth century. He was a Frenchman, and therefore the interests of France were paramount. He was a diplomatist of the school of Kaunitz, and therefore his trump-cards were subtlety, astuteness, williness, cleverness, and sagacity. Between Vergennes and Shelburne, as statesmen, there were many differences of an instructive nature.

Vergennes, through this negotiation, was working with all his might for France. He had not at this time, nor had he ever had, any sentimental ideas concerning America. America was to him at this time, as she had ever been, merely one of the wards of the combination-lock, which had to be set in place before any key to the situation could be found. At the time of the Treaty of Alliance, as we have shown, Vergennes had had few ideas beyond the welfare of France. The rights of America he had looked upon as considerable only in so far as they related to that question. Throughout the connection of France and America, Vergennes had had no other thought. He had been a good friend to America, not because he believed the Americans had been unjustly treated, as did Chatham, nor because he sympathized with the broadest American ideas, as did Lafayette, but because he believed it to be to the best interests of France that the two countries should be

closely bound together. All his official acts will be found to ensue from this principle. If he thought this or that best for the American cause, it was because this or that would benefit France, through America.

We must, therefore, see what was Vergennes's system.¹ What was the position which, in his view, was to be assumed by France? Vergennes came to power at a time when France was slowly recovering from the Seven Years' War and the Treaty of 1763. At that time hostility to England and alliance with Spain formed the basis of every French minister's position. How, then, did America come into the combination? America was the most considerable colony of England. The loss of America would be the severest blow that could be struck. Vergennes therefore saw with satisfaction the earlier proceedings of the Revolution; but, with an accurate knowledge of the King's resources, he also saw that France must abstain from active participation in the war. He was not, however, sure that secret aid would not be well placed; hence the Beaumarchais affair, in which he allowed himself to be persuaded. Then came Burgoyne's defeat. The American cause seemed practically gained. Now was the time for France to interfere, when it was certain that by so interfering she would finish successfully; and not only that, but, ending a successful war in which she had been the most powerful ally, she would naturally have the greatest influence in the disposition of things at peace. France accordingly embarked upon the war. Spain subsequently declared war with England, though not allying herself to America.

¹ He had a very decided method. Cf. FLASSAN, vii. 440. "He possessed what might be called a good method, the fruit of fifty years' experience."

The objects which Vergennes thought might be gained by the American war seem to have been these: to weaken England by the loss of powerful dependencies; to make good, in a measure, the territorial losses of the Seven Years' War—that is, Canada and certain East and West India possessions; to regain lost rights in the Newfoundland fisheries. It does not appear that Vergennes had any interest in erecting in the Western Hemisphere a strong and powerful republic. On the other hand, such a power would not have accorded with his views, for various reasons. It would have made impossible his ideas in regard to Canada. It would have been very much to the distaste of Spain, with whom Vergennes always desired to be in sympathy. For Spain was possessed of large provinces in America, and desired to extend them. Spain was possessed of large provinces, and desired to retain them. She desired the Indian country in the South. She desired the sole control of the Mississippi. Spanish policy and American policy were far less at one than American and French.

Let us not take any false view of Vergennes. He was a diplomatist of his time,—a sagacious, moderate, somewhat narrow-minded man, who looked on the whole world with a nationally selfish view. Nothing weighed with him against the good of France. If his views were traversed by the American claims, the American claims must be withdrawn.

It must also be remembered that it was by no means improbable that the American commissioners, relying on the aid to be supplied by France, would demand such concessions from Great Britain as could by no means be granted, and that, by holding out for these demands, the war might be prolonged, even though France might desire to stop it. To Vergennes, knowing well

the state of the King's finances, this was an inadmissible alternative. The war must stop. Nothing could be allowed to continue it. If the Americans were unwilling to be satisfied with such terms as they could fairly expect, means must be taken for compelling them to be satisfied with what they could have. The welfare of France must not be imperilled by the extravagance of the American demands. Therefore Vergennes was opposed to such demands on the part of the American commissioners as seemed in his judgment to be of such a nature as to imperil the success of the negotiation.

Although Vergennes felt compelled to oppose America in the course of the negotiation, it is difficult to withhold our respect for his character. Experienced, cautious, moderate, and wholly devoted to the King, his master, he so employed his talents, which were not of the highest order, so that France prospered under his ministry as much as she could have done under any. In his private life he was a model to be followed. He was hard-working, modest, simple, and affable to all, and devoted to his family with whom he passed a large proportion of the time which was not employed in attending to public duties. He was, perhaps, not a great man, but he was undoubtedly a man who did every thing that he could for what he thought was right.

It is not necessary to have so intimate knowledge of the character of Mr. Allan Fitzherbert. He had, save at certain times, no direct influence upon American proceedings. The English envoys had the highest opinion of his talents. The American commissioners had little intercourse with him. From what we can gather, however, we should imagine that he made a favorable impression upon them.¹ The point of most importance is that Fitz-

¹ Adams says as much. Works, iii. 330.

herbert, unlike Grenville, seems to have had a very high opinion of Oswald, and that the two worked together in perfect unison. "Nobody can be more sensible," he writes, "how essential it is for the good of the King's service that we should live together in the strictest confidence and harmony, more especially too as it happens daily, that our departments though nominally distinct and separate are in fact most intimately connected with each other. Besides all which, it is extremely my interest to cultivate Mr. Oswald's acquaintance on my own private account, the extensive and almost universal knowledge he is possessed of being the only source I can resort to for such light as I shall undoubtedly have frequent occasion for in order to see my way into the intricate and perplexing business which I have in charge."¹

Besides this, the attentive reader discovers that he was considered conceited and vain, though on exactly what grounds one does not easily see. It is not difficult either to gain or to deserve this reputation, and there are many who enjoy it who do not deserve it.

It would have been well could the American envoys have worked together in the same harmony. But this was impossible. Franklin and Jay held, at first, views very similar. They had a high respect for each other, and, until his arrival upon the scene, Jay, in forming his opinions on the European situation, had paid great respect to the views of Franklin. After he had been in Paris a short time he found it necessary to change his views; and being unable to convince Franklin, and being impressed with a great sense of the importance of his opinion, he felt obliged to act in exact opposition to his colleague, without his knowledge. John Adams

¹ Fitzherbert to Shelburne, 17th of August, 1782.

afterwards appeared at Paris. He sympathized with many of Jay's views. He heartily disliked Franklin. He and Jay formed a party in the commission; and Franklin felt compelled, for reasons which have never been disclosed, to come over to their policy. But though the later negotiations were carried on without any difference of opinion, we cannot say that the commissioners were wholly united.

Mr. Adams's Diary shows his own sensitiveness and suspicion from the beginning. On the 27th of October, when he had been but one day in Paris, he writes, "Between two as subtle spirits as any in this world, — the one malicious, the other I think honest, — I shall have a delicate, a nice, a critical part to act. Franklin's coming will be to divide us; to this end he will provoke, he will insinuate, he will intrigue, he will manœuvre. My curiosity will at least be employed in observing his invention and his artifice."

CHAPTER V.

OSWALD'S COMMISSION.

WITH the appointment of Lord Shelburne as Prime Minister, it seemed as though the negotiation of the treaty had made a great advance. There were no longer two parties in the English ministry: there was but one opinion in the matter, and that was, that a good and honorable peace must be made before the meeting of Parliament. The American commissioners were anxious for a treaty; the English ministers sincerely desired it; Vergennes was conscious that a speedy peace was necessary. It seems as though an understanding should have been easily reached. But it was not for three months yet, that actual discussion of the articles of the American treaty began, and Vergennes retarded the French negotiation to keep pace with that of his allies. The delay arose from difficulties existing in a matter, apparently so simple, as the exchange of powers.

As we have seen, the matter of a commission to treat with America had been an unsettled question throughout the whole affair. Not only was it impossible that any commission at all should be issued until the "Enabling Act" should have been passed, but it had not been agreed upon as to who should be then appointed. Oswald had had no commission at all: Grenville had had two. The first enabled him to treat with France, which permission his instructions extended to cover all

the allies of France. But this having been unsatisfactory, he had received another, enabling him to treat with the ministers of France and "of any other *Prince or State* whom it may concern," and this he conceived was sufficient to cover America. But Franklin remarked to him that "though we Americans considered ourselves as a distinct independent power, or State, yet as the British government had always affected to consider us only as rebellious subjects, and as the Enabling Act was not yet passed, [he] did not think it could be fairly supposed, that his court intended by the words, *any other Prince or State*, to include a people whom they did not allow to be a State."

He therefore declined to consider it, accompanying his views on the subject (in a letter to Oswald) with a graceful hope that it might be thought best by the British ministry to arrange the American business by a separate commission which should be made out to Oswald. For this had always been the plan of Shelburne, Franklin, and Oswald, though, as we have seen, it was not that of Fox and Grenville.

Franklin and Oswald had often mentioned this matter. It had been agreed between them that a letter from Franklin, expressing his views on this subject, would have weight in the matter, and the following had been accordingly drawn up:¹ —

Franklin to Oswald.

PASSY, June 26, 1782.

DEAR SIR, — In the note that you showed me it is said, that "Mr. Oswald may be vested with any character or commission that he and Dr. F. shall think proper;" or to that purpose: and you desire my sen-

¹ For mention of this paper, see SPARKS, ix. 344.

timents. We should be willing to treat with such persons as the King may think fit to appoint. I am however very sensible of the kindness that appears in Lord Shelburne's offering me any appearance of influence in that choice, and I esteem it as a proof of his sincerest desire of making with us a good peace. [The above crossed out, and the following written in red ink by Franklin: *This draft being shown to Mr. Oswald and he not chusing that his showing me Lord S's note should be mentioned, I first crossed it out, but afterwards remodelled the whole.* The draft is in red ink.] I can have no objection to Mr. Grenville, who is already appointed to treat with the *King of France* or his *Ministers*, or the *Ministers of any other Prince or State whom it may concern*: as he informs me: and as soon as the enabling act is passed, and the *States of America* are acknowledged to be such, I suppose the words of that commission may be clearly interpreted to mean and include those states, in the understanding of your government, with those of Spain and Holland. At present it seems dubious, and as your long residence in America has given you a knowledge of that country, its people, circumstances, commerce, &c. which added to your experience in business may be useful to both sides, in facilitating and expediting the negotiation, I cannot but wish that you may be joined with Mr. Grenville in the commission, at least for the part which relates to America; or if that should seem in any respect inconvenient, then that you might be, in a distinct commission, named as plenipotentiary to treat with the plenipotentiaries of America particularly. This is what occurs to me.

With great and sincere esteem, I have the honour to be, &c

This draft, however, was not used. Franklin the next day drew up another to the same effect which satisfied Oswald better; and in conformity to the desire of Franklin, it was decided by the new ministry to send separate commissions to Oswald and Grenville, to treat respectively with America and the European powers. Grenville, however, was unwilling to retain his appointment after the resignation of Fox; and his resignation was therefore accepted, and Mr. Fitzherbert was appointed in his place. The disturbances accompanying the change of ministers, however, caused some delay, and it was not till near the end of July that Shelburne wrote to Oswald that a commission was to be sent to him at once.

Shelburne to Oswald.

SHELburnE HOUSE, 27th July, 1782.

DEAR SIR,—I am to acknowledge the receipt of your several letters of the 8th, 10th, 11th and 12th Insts by Potter. They give me the greatest satisfaction, as they contain in my apprehension unequivocal proofs of D^r. Franklin's sincerity and confidence in those with whom he treats. I am sure it will be the study of his majesty's ministers to return it by every possible cordiality, and D^r. Franklin's to you of the same date gives me so much uneasiness as it seems to do you. I know the correctness of my own conduct and that it can stand every test. A French minister might not so easily be brought to understand the conduct of others. But those with whom you have particularly to treat, know too much of the partys incident to our Constitution and of the violence and inveteracy occasioned by present disappointments to be easily misled by false assertions or Newspaper comments. I need only appeal to your own knowledge. However as you

may not wish it to rest entirely upon that, I have obtained His Majesty's leave to send you my dispatch to Sir Guy Carleton and Vice Adm. Digby, dated so long ago as the 5th June, and Mr. Fox's letter to Mo^r. Simolin¹ of the 28 June; and you are at liberty to communicate to Dr. Franklin such parts of both as may be sufficient to satisfy his mind, that there never have been two opinions since you were sent to Paris, upon *the most unequivocal Acknowledgement of American Independency* to the full extent of the Resolution of the Province of Maryland inclosed to you by Dr. Franklin. But to put this matter out of all possibility of doubt, a commission will be immediately forwarded to you, containing full powers to treat and to conclude, with instructions from the minister who has succeeded to the Department which I lately held to make the Independency of the colonies the Basis and Preliminary of the Treaty now depending and so far advanced that hoping as I do with you that the articles called *adviseable* will be dropped, and those called *necessary* alone retained as the ground of discussion, it may be speedily concluded.

I have only to add, on this subject, that these powers have been prepared since the 21st June, were begun upon within 24 hours of the passing of the act and compleatly finished in four days following and have been since delayed owing to its being asserted, that your continuance at Paris prejudiced every thing that was depending, which required that they should be entrusted exclusively to Mr. Grenville. You know best the truth of this assertion.

You very well know I have never made a secret of the deep concern I feel in the separation of countries united by blood, by principles, habits, and every tie

¹ The Russian resident in London.

short of Territorial proximity. But you very well know that I have long since given it up *decidedly* tho' reluctantly and the same motives which made me perhaps the last to give up all Hope of Reunion, makes me most anxious, if it is given up, that it shall be done *decidedly*, so as to avoid all future Risque of enmity, and lay the Foundation of a new connection better adapted to the present temper and interests of both countries. In this view, I go further with Dr. Franklin, perhaps, than he is aware of, and further perhaps than the professed Advocates of Independence are prepared to admit. My private opinion would lead me to go a great way for Federal Union. But is either country ripe for it? If not, means must be left to advance it.

I am obliged to you for your kind compliments on my succeeding to the Treasury, a situation to make the most warlike minister wish for peace. I am persuaded, however, you will not be a loser by the minister you will have to correspond with. You will find in Mr. Townsend great habits of business, joined to the most honorable principles, and I can venture to assure you of the strongest prepossessions in favour of your character. Your correspondence will of course lie with him. I only desire to add that I shall consider myself pledged to the contents of this letter. You will find the ministry united, in full possession of the King's confidence, and thoroughly disposed to Peace, if it can be obtained on reasonable terms; if not determined to have recourse to every means of rousing the Kingdom to the most determined efforts. The liberal spirit which has taken place in our domestic Government, new plans which are offering every day for augmenting the navy, the national spirit, which must result from ill treatment or oppression, the open and weak points of some of our enemies

who have large and distant dominions as well as ourselves to play for, will, I am sure, produce greater effects than our enemies imagine. But the public expectation will be proportionately raised, distant expeditions relied upon, and Peace rendered more difficult than ever.

Let it be well understood, that no offer on our part is now wanting to prevent this series of calamities by an immediate Reconciliation.

This letter reached Paris about the 1st of August. It was not till the 6th that the copy of the commission arrived. For the next few days, we have the Journal kept by Oswald, for the information of Shelburne; and as it has never before been entirely printed,¹ we give it nearly in full.

PARIS, Wednesday, 7th August, 1782. Yesterday Evening at 7 o'clock the courier Roworth arrived and brought my commission for treating with the Commissioners of the Colonies and the King's instructions &c.

This forenoon I went out to Passy and carried a copy of the Commission to Dr. Franklin.

After perusal he said he was glad it was come, that he had been at Versailles yesterday, and Mons. de Vergennes had asked about it; and upon the Doctor telling him it was not come, he said he could do nothing with Mr. Fitzherbert till it arrived, as both treaties must go on together hand in hand.

¹ Dr. Sparks printed in his ninth volume large and important extracts. He gave no idea, however, but that he printed all there was of the "Minutes of Conversation," as the document is called, whereas he only printed about a half.

I shewed him Mr. Townshend's letter accounting for a copy being only sent, as the Chancellor and Attorney General were at a distance in the country. The Doctor seemed to be satisfied, and said, as on a former occasion, he hoped we should agree and not be long about it. There were no particulars touched upon: and after sitting about a quarter of an hour, I proposed calling on Mr. Jay, the only other Commissioner at Paris. The Doctor said it was right, and returned me the copy of the Commission to be left with Mr. Jay, which he would bring back to the Doctor, as he was to dine at Passy.

I accordingly returned to Paris and called on Mr. Jay. He is a man of good sense, of frank easy and polite manners. He read over the copy of the Commission and Mr. Townshend's letter accounting for its not being under seal, and then said: By the quotation from the Act of Parliament in the Commission he supposed it was meant that Independence was to be treated upon: and was to be granted perhaps as the price of peace: that it ought to be no part of a Treaty: it ought to have been expressly granted by Act of Parliament, and an order for all troops to be withdrawn, previous to any proposal for Treaty: as that was not done, the King, he said, ought to do it by Proclamation and order all garrisons to be evacuated, and then close the American war by a treaty. He said many things of a retrospective kind, such as the happy effects a Declaration of that nature, at earlier periods, would have produced, if Great Britain had handsomely and nobly made this grant, before such deep wounds had been given to that Bias and attachment which till then subsisted all over that country in favour of G. Britain even in spite of their petitions being repeatedly rejected. That in such case

they would undoubtedly have concerted such plan of Treaty as would have not only restored Peace, but would have laid a solid bottom of amity and conciliation, and such as would have obliterated from their memory, in a short time, all remembrance of preceding acts of distress and violence.

But, by the continued enforcement of the same cruel measures, the minds of the people in general, all over that Continent, were almost totally alienated from Great Britain, so that they detested the very name of an Englishman. That it was true a number of older people had not forgot their former connections, and their inclinations might still lean towards England; but when they were gone and the younger generation came to take their place, who had never felt any of those impressions, those inclinations would be succeeded by grudge and resentment of every kind, upon reflecting on what they had seen and their parents had suffered; that few of them but could recollect the loss of blood of some relation or other, devastation of their estates, and other misfortunes.

On which occasion he run into a detail of particulars, as unnecessary as unpleasant here to be repeated and which I would not have touched upon, if I did not think that a full exposure of the features of this conversation may help to form a judgement of what may be expected in the issue, from the determination of this Commissioner and consequently what concessions, on this very critical occasion, it may be safe and proper to propose and insist upon.

As information respecting the real sentiments of those Gentlemen was the object I principally aimed at in the commencement of this business, I allowed Mr. Jay to go on without interruption; remarking only

upon the whole, that supposing there had been capital mistakes in the direction as well as in the execution of our measures, it would be hard to bring the charge home to the Nation in general; and there was a good deal to be said even in excuse of the ministers, who presided over the conduct of those measures, considering that they were not personally acquainted with the circumstances of that country, and therefore could not but naturally listen to the information they received from those who were so acquainted, who came over from America as Refugees, and who had upon all occasions insisted that we had so great a proportion of friends in all the Colonies, as to require only a temporary support from Government, to bring every thing back to the original state of Peace and Subordination. That it was the search after those friends of Government, which, in consequence of personal interference and correspondence in writing, has kept up and encouraged a continuance of the measures of coercion complained of until they brought on at last the present unfortunate crisis.

Mr. Jay admitted that some blame was justly to be imputed to the misrepresentation of the refugees, and other correspondents above mentioned, who, he said, at least many of them were in a particular manner concerned on account of their private interest, to have things brought back by any means to their original state.

As to the military men, I said it was natural for them to give credit to those representations, and they were in general so inattentive to circumstances out of the line of their profession, that I had heard them insist that with a few Battallions they could go from one end of the Continent to the other, and that I had, upon

such occasions, told them that under the orders of a French or Spanish Court they might surprise a defenceless country and by massacre and devastation might terrify the people and compleat the conquest; but having so done, it would be only for the present time in such a country as North America. But as troops would receive no such orders from Great Britain, even a temporary conquest of any extent could never be made, by any armies we could support in that country. Mr. Jay admitted this to be true, without taking notice of what might have been the conduct of the above mentioned foreign nations in the reduction of revolted America.

He returned to the subject of independence, as not being satisfied with its being left as a matter of treaty. I said the method proposed was much the same as what he meant, and perhaps such as the nature of the British Constitution made necessary. Independence of Great Britain in the most complete sense, would be granted without any reserve, always supposing that their states should be equally independent of other nations. And so the treaty might proceed, in the course marked out for it, until it ended in peace. He said, peace was very desirable, and the sooner the better. But the great point was, to make such a peace as should be lasting. This brought back my attention to the same expression in Count de Vergennes's discourse in April, when I first had the honor to wait on him; and the more so, that, in almost every conversation I have had with Dr. Franklin, he has made use of the same words, and delivered as in the way of aphorism, and as an indispensable principle, in the foundation of a final settlement between them and France.

I never at these times chose to ask for an explanation,

having no right to do so. I thought it was then too early to venture on such delicate ground, and so I remained at a loss, as to the intended meaning of the words, although I strongly suspected the expression pointed at some unpleasant or unfavorable limitation on the conduct of Great Britain. But now, being in a somewhat different situation, and having so fair an opportunity, which I wished not to miss, in order to guess at the meaning of this phrase, I replied, that such long intermission of war was certainly very desirable. But what security could there be given for a continuance of peace, but such as generally put an end to all wars; being that of treaty but which was often found to be a very inadequate security, as was the case of the last treaty, concluded at this place only twenty years ago.

To this Mr. Jay replied,—he would not give a farthing for any parchment security whatever. They had never signified any thing since the world began, when any prince or state, of either side, found it convenient to break through them. But the peace he meant was such, or so to be settled, that it should not be the interest of either party to violate it. This, he said, was the only security that could be proposed, to prevent those frequent returns of war, by which the world was kept in continual disturbance.

I could guess what he meant by the present parties being bound by motives of interest to be quiet and askt for no explanation.

As I happened to mention the last treaty of Paris, Mr. Jay said, we had taken great advantage of the French in that Treaty. I did not ask him as to the articles he objected to: but further to try his sentiments on these subjects, I said I wondered that he, being of America should complain of that Treaty as if

the French had not been tenderly enough dealt with in it; since that long and expensive war to which it put a period was entered into entirely on account of America and to save them from the consequences of that constant course of hostility which the French were avowedly carrying on against them on their Western Frontiers, in the times of profound peace in every other part of the world, and to which they were solemnly bound by the Treaty of Aix la Chapelle. Notwithstanding which, he very well knew, that in that interval, there was no intermission in their endeavours to disturb the quiet of the Colonies by their constant intrigues among the Savages of all the Tribes from Canada down to the Chicasaws on the Gulph of Mexico. That these savages, prompted, paid and supported by the French, continually lay upon the borders of our colonies to take advantage of the defenceless state of the Back Settlers, to surprise and cut their throats as opportunities offer'd. That to repress the unceasing practise of those cruelties by the Savages, as well as from the French settlements of Canada, that war, was entered into and continued at great expence, until the Colonies were put out of the reach of all farther danger by the conquest of Canada and the total expulsion of the French from that quarter of the world. I therefore said I thought it odd that the Treaty should be complained of, which put a legal period to that war, by which the future safety and quiet of the Inhabitants of every part of North America was thus firmly established and which could not have been effectually done by any other means. Whether we ought to have been so tender of their safety, as to run into that extensive scheme of exertion, was a question I also ventured to touch upon, but needless to be repeated here.

To all this Mr. Jay made answer that at that time North America being considered as a part of the British Empire, as much as England or Ireland, had an equal title to the protection of Government, as any other part of the dominions, and therefore we could plead no merit by way of Distinction so as to have any particular claim on America.

I admitted that America on that occasion had the same right to protection, in proportion to circumstances, as the County of Kent had, and only thought it hard, that, in America, there should be such feelings for the conditions to which the French were bound by a Treaty which concluded a war so necessary for its present and future safety.

On this occasion I could not help thinking that Mr. Jay fell below the idea I wished to entertain of his candour and impartiality regarding objects not strictly American.

At one or other of the periods of this conversation he said, "you seem to think that France ought to consider the Independence of our States, as a sufficient indemnification for all her expenses in the war." (This however I had never said to him, although I had often said so to Dr. Franklin.) "But," continued Mr. Jay, "that ought not to be admitted; as it in the first place put us under a greater obligation to France than we incline to, as if to her alone we are indebted for our Independence." And in the next place (I have forgot the precise terms but it was to this purpose) that in the course of the war France had made conquests, and they the Americans had a Treaty with them, by which they were bound not to give us peace but in concurrence with our settlement with them. What the conditions might be he could not say: he believed we should agree. But

that France had in the course of the war made conquests and we could not expect to get back all we had lost. They of America must fulfil their Treaty; they were a young Republic just come into the world, and if they were to forfeit their character at the first outset, they would never be trusted again and should become a proverb amongst mankind.

All this is true, I replied, but your treaty does not oblige you to support their demands after your Independence is acknowledged.

He seemed to say they would think themselves obliged to support them in their settlement with us in general. Only at last he said, unless unreasonable: then, indeed, —and paused — but afterwards went on and said, France had been very kind to them, and had lent them money very liberally &c.

After enlarging on these obligations and the gratitude they owed to France he proceeded to Spain and Holland, and talked also, tho' in a more general way, of their alliances with them, and their great obligations to them for advance of money and as if by the conditions of treaty, they could not conclude or have peace with Great Britain separately from those other two powers.

I did not think it right to be over inquisitive as to their intentions regarding them; but it appeared to me as if he considered those two Courts as much under their protection as that of France, and as if they the Commissioners of the Colonies, would agree or refuse to close with us, according as they should consider the terms which these two powers shall insist on to be reasonable or unreasonable.

I don't recollect any thing more of material consequence that passed in the course of the conversation.

As before mentioned I think it best to give these minutes in the loose way in which they run as in that dress I can keep more easily and closely to the precise strain of conversation, than if formed into a proper state of official correspondence: and therefore I hope to be excused for this time.

Upon the contents of the before mentioned representation I beg leave to make the following observations, vizt.

1st On the forenoon of the 7th, being the next day after the receipt of my Commission, I went out to Doctor Franklin with a copy of it as already mentioned; when he said very kindly, he hoped we should do very well, and not be long about it: as he had said to me upon a former occasion.

2nd In an hour afterwards I called on Mr. Jay at his house in Paris: a sensible man, of plain yet civil manners, apparently humane, and of a calm obliging temper. After reading the commission he said he hoped some good would be done. I replied, if I did not think so I should not be here. He said he was so informed by Dr. Franklin, and then began upon the article of Independence, and continued the conversation in the manner as has been mentioned in the coolest unreserved method and determined stile of language that any common object could be treated, and with a freedom of expression and disapprobation of our conduct at home and abroad, respecting America, as shews we have little to expect from him in the way of indulgence. And I may venture to say that although he has lived till now as an English subject, though he never has been in England, he may be supposed (by anything I cou'd perceive) as much alienated from any particular regard for England, as if he had never heard of it in his life. I sincerely wish I may be mistaken, but think it proper to remark, as Mr. Jay is

Dr. Franklin's only colleague, and being a much younger man and bred to the law, will of course have a great share of this business assigned to his care.

3^d I thought it remarkable that so soon after I left D^r. Franklin, I should have found this gentleman's plan of settlement with Great Britain so much less liberal, or at least so much more encumbered with relative connections, concerns and interests, than had been insinuated in any conversation I ever had with D^r. Franklin; or rather on the contrary seemingly very materially different excepting only in that making such a peace as should be lasting which the Doctor always said he aim'd at.

4th The Doctor and Mr. Jay having been to-day (the 8th) to see Mr. Fitzherbert they called upon me, when the Doctor told me he had sent a copy of my commission to Mons^r de Vergennes at Versailles. They said no more, nor was there any notice taken of any conversation having pass'd between Mr. Jay and me, the day before nor anything else of business.

5th. From what has been said, and from anything I could ever learn while I have been here, there is good reason to apprehend that the Colony Commissioners think much less of their own concerns than of those of foreign nations. Or rather that they consider their business as good as settled, and that though the Dignity of their Congress may require a formal acknowledgement of Release from their Dependence on Great Britain, yet they are not so much concerned about it, as to propose to give peace to Great Britain but on condition of our settling with these other nations. At first France was only named, but now Spain and Holland are included. Some time ago I believe France declared that they must be included in their Treaty,

no doubt in expectation of being supported in that claim by the Commissioners of the Colonies. And by Mr. Jay's conversation with me it would appear they seriously intend it. And although he had not said so, it might have been understood, since he has concluded a similar Treaty with the Ambassador of Spain now here, to that settled with France in America in 1778¹. For which I had the authority of Doctor Franklin some days ago. And I make not the least doubt they have connected themselves in the same manner with Holland.²

The business therefore of those Commissioners at this peace seems to point at a superintendency over the general Peace, and not only to bring it to a conclusion, but upon such terms and conditions as to themselves seem just and reasonable:—two words, which I remember Mr. Jay made use of when we happened to touch upon that subject.

In so far the Congress (in the persons of their Commissioners) have assumed the right of arbitration between Great Britain and those Foreign States: and I wish I may be mistaken in thinking that they have taken those States also under such protection as that they shall not likewise, before the close of the business, be found to act the part of Dictators to Great Britain; believing that they can safely do so without any new Act or Determination of their Congress, and only by going on as they do now in a course of hostilities by sea and land, in consequence of their Treaties with those Foreign Powers, to which they profess such sacred respect, and also without any regard to the conduct of Great Britain, although we should cease hostilities by sea as we have done by land: a state of dilemma

¹ This was a mistake. The treaty with Holland was formally concluded, a few months later.

I am inclined to think not a little embarrassing to G. Britain. By land, although we are inactive, we may defend ourselves and so can hardly suffer: but by sea, we must continue to act, since by a cessation we could gain nothing upon the good will of the Congress or others in America; they being bound to go on with the War, by virtue of their Treaties with our other enemies.

When we set out upon this business of peace, we justly thought that a relinquishment of the Sovereignty of America, which France so strongly pleaded for, would have had some weight in the scheme of Pacification with them, and that such grant of Independence would have also fully satisfied the Colonies: and then, that by a few exchanges or concessions of little consequence, in the course of the negotiation with France, the whole might have been quickly ended. But the affair seems to have taken a different turn. France, very wisely, I don't say consistently, disowns the grant of Independence, as being no concern of theirs, and Mr. Jay will not allow them to share in the merit of it, lest the Colonies should be brought under a greater obligation to France than they should chuse, or more than they can easily discharge by a repayment of the money borrowed of them: which his Colleague some time ago told me could be easily done, as their taxes were coming in fast.

Thus France comes into Conference, with all her acquisitions in hand, clear of any charge against her on account of North America; and out of the reference of any concessions expected from us, but that of the little Island of St Lucia, and a few settlements on the continent of India: and therefore before she will listen to our desire of Peace is under no difficulty in telling us that we must agree to submit to great altera-

tions respecting different quarters of the World (besides others) as settled by the Treaty of Paris. And Mr. Jay, on the part of the Americans in support of that demand, feelingly complains of France having been hardly dealt with in that Treaty; as before mentioned.

To gain the Americans we have nothing in hand but what they say they are possessed of, or if any formality is wanting, they insist it is so much their right, that it ought not to stand as part of a Treaty. If in their interposition in favour of Foreign States, we pretend to remonstrate, they plead Treaties, Conscience and Character, under such construction of determination as appears good to them, without any apprehension of control, whilst they are gaining and we losing by a continuance of the war.

So much I have presumed to say as to my ideas of the state of the present depending Treaty at this place: which I am unwillingly led to, with a view of paving the way to some modification in the article of His Majesty's Instructions in case this negotiation should proceed in its intended course.

But before I quit this article, I beg leave in justice to myself, as to former advices relative to my conversations with Dr. Franklin, particularly in my letter of the 10th July as well as for the information of His Majesty's ministers, to remark that there is a great difference between those said advices and the strain of Mr. Jay's conversation of yesterday's date. I never chose to teize Dr. Franklin with many questions, yet at different times he has freely declared that having got the grant of Independence, their Treaty with France was at an end; and on the 10th of July explicitly specified the conditions which he thought must necessarily be granted, to obtain a Peace of any kind with

the Colonies; but if granted would have that effect; adding at the same time others as discretionary or adviseable which if complied with, would not fail to diffuse a temper of Reconciliation all over the country. These were the Doctor's sentiments and conditions of Settlement on the said 10th of July, and which he read to me from a minute in writing, and only declined putting it into my hands from a motive of delicacy regarding his Colleague then but just arrived. And so consistent the Doctor still appears to be, that upon the production of my Commission on the 7th instant he repeated the words which he us'd on a former occasion — "that he hoped we shou'd do well enough and not be long about it," as already mentioned. That could not but be very agreeable to me, if my expectations had not been so soon after damp't by the said unpleasant reception from Mr. Jay.

Having given my opinion as to what appears immediately to concern the Treaty, I must take the liberty to touch upon another subject principally regarding future times. [The rest of the paper is in regard to a phantasmal guarantee of the Treaties by the American Congress whereby the United States was to stand Arbitrator of European affairs.]

Such were Oswald's early interviews on the subject of his commission. As yet, however, nothing was decided about it. The Americans considered it necessary to consult with Vergennes on the matter, and an interview took place on the 10th.

Vergennes, who had carefully examined the commission, gave it as his opinion that it would be for the best to proceed, as soon as the original appeared. He seemed to think that it was much such a commission as

might have been expected, though not in the usual form. Mr. Jay pointed out that it would be "descending from the ground of independence to treat under the description of colonies." This objection did not seem valid to Vergennes, who remarked, that, if Oswald received their commissions, (in which they were described as commissioners of the United States,) it would constitute a tacit acknowledgment of independence. He also remarked that "an acknowledgement of our independence, instead of preceding, must in the natural course of things be the effect of the treaty, and that it would not be reasonable to expect the effect before the cause." Mr. Jay thought all this very singular reasoning; and said he did not like the matter, and that it would be best to proceed cautiously. Franklin, however, thought the commission would do, and seemed to think they had better proceed to business as soon as might be.

Mr. Jay was much displeased at this interview; and on the way home he expressed the idea to Franklin that Vergennes had no wish to see the independence of America acknowledged, for that, by that means, the war would be continued, whereby Spain and France might probably be the gainers. Vergennes's reasonings he pronounced to be singularly fallacious. Franklin did not in any respect agree with him, observing that the conduct of France had hitherto been fair and open, and that it was not well to entertain suspicions unnecessarily. He also remarked that their instructions bade them consider the advice of the French Minister."

To continue with Oswald's journal:—

PARIS, Sunday 11th August and 13th, 1782.

I went out this forenoon to Doct^r Franklin, to know whether he was inclined to enter upon business. He

told me he had carried the copy of the Commission I gave him, to Versailles, the day before, and had some conversation on the subject with Mons^r. de Vergennes, who was of opinion with him that it would be better to wait untill a real commission arrived; this being neither signed nor sealed, & could be supposed as only a draft or order, in which there might be alterations, as in the preamble it said only "to the effect following" &c. To this objection I had nothing to say, as I did not incline to show them the Instructions, though signed and sealed.

Finding no alteration in the Doctor's manner from the usual good natured and friendly way, in which he had formerly behaved to me, (as I had reason to apprehend, from what had lately passed with his colleague,) and having a quiet and convenient opportunity, I was anxious to learn whether the Doctor entertained those ideas, which in the preceding papers I suspected Mr. Jay had in view, regarding the *means* of preventing future wars, by settling the peace in such a manner as it should not be the interest of the parties to break it.

With that intent, I told the Doctor I had had a long conversation with Mr. Jay, of which no doubt he had been informed; and in which he had not spared us in his reflections on what had passed in the American war; and that I could not but be sorry he had just reason for the severity of some of them; at the same time I was pleased he was equally well disposed to peace, and to bring it quickly to a conclusion, as we were, and also that it should be a lasting one, as he (the Doctor) had always proposed; and that I was only at a loss, as to how that could be ascertained, otherwise than by treaty, which Mr. Jay declared he paid no regard to; and said it could be only depended upon as lasting by its being

settled, so as it should not be the *interest* of any of the parties to break it. I told the Doctor, this was certainly the best security, if one could tell how to accommodate the terms so justly to the mutual interest of the parties, as to obviate every temptation to encroachment or trespass.

The Doctor replied, that the method was very plain and easy, which was to settle the terms in the first projection on an equal, just, and reasonable footing; and so as neither party should have cause to complain, being the plan which the Count de Vergennes had in view, and had always recommended in his conversations with him on the subject of peace. And the Doctor said it was a good plan, and the only one that could make the peace lasting. And which also put him in mind of a story in the Roman History, in the early time of the Republic; when, being at war with the state of Tarentum, and the Tarentines having the worst of it, they sent to the Senate to ask for peace. The ambassador being called in, the Senate told him they agreed to give them peace, and then asked how long he thought it would last; to which he answered, "That would be according to the conditions; if they were reasonable, the peace would be lasting; if not, it would be short." The Senate seemed to resent this freedom of expression; but a member got up and applauded it, as fair and manly, and as justly challenging a due regard to moderation on their part.

It is not easy to say how happy I felt myself at the conclusion of this quotation. The terms and conditions, it is true, remained undecided; and they no doubt comprehend a very serious question, although not material to what I aimed at. Nor did I conceive them to lie so much in my way, as in that of another depart-

ment, by the concern which the French minister took in settling the principle. Nor did I trouble myself about the possible inefficacy of it, as still depending in some degree on the obligations of treaty, however cautiously adjusted. And therefore I did not think it proper to touch upon that point, nor to say anything on the subject of terms and conditions.

I thought myself sufficiently satisfied in getting clear of my apprehensions of those ill founded suspicions of a supposed American Guarantee being intended, as mentioned in the papers of the 9th instant, & at the same time asking pardon of those to whom that design was unjustly imputed. And which upon my return from this visit I should have certainly struck out of those papers, if I did not, with all submission incline to think that by remaining under the eye of Government, they may help to shew that the question of the possibility of such Guarantee taking place on some future occasion, may still not be undeserving of attention. As to the consequences of such measure whenever it happens (as pointed out in the said papers of the 9th) there can be no doubt: nor do I think it requires much ingenuity in the Americans quickly to discover the expediency and benefit of resorting to it on a variety of occasions; particularly in case of our insisting on terms in the present Treaty, or acting a part in our future correspondence with them which we cannot support in such a manner as to make it appear to them to be to their interest (and consistent with their engagements and the character they have adopted) quietly and contentedly to submit to.

I am the more ready to hazard the freedom of these observations and the danger of exciting into action the least experiment of this kind of combined interposition

of the American Provinces, upon reflecting on Doctor Franklin's hint or caution, as reported in one of my letters of last month "not to force them into the hands of other People." Which I hope will never happen; but on the contrary after laying the foundation of Peace in the best manner that can be done, on the bottom on which Congress wish it to stand, by an amicable and final agreement with their Commissioners here, every possible measure may thereafter be taken to provide a temper of Reconciliation and Amity over the whole of that country. As yet there has been nothing done in a separate way, however unjustly suspected, to interfere with the plan of such preliminary and regular settlement. And I shall hope the same will be followed out in such manner as to shew to the Americans that all such concessions as are required and can be reasonably granted, do actually flow from a desire of His Majesty and his Ministers of laying this foundation on the most just and equitable principles & in a mutual relation to the benefit of one party as well as the other.

After that is done, consequently every pretence and occasion of jealousy is obviated and constitutionally out of the question, I must take the liberty to say, that it will concern the interest of Great Britain in the most sensible degree, as well in the hopes of returning benefit, as in that of avoiding contingencies of critical danger to concert from time to time, every possible method of facilitating and perpetuating a friendly correspondence with those countries.

The second thing the Doctor touched upon was independence. He said, "by the quotations of Acts of Parliament, he saw it was included in the commission; but that Mr. Grenville had orders to *grant it in the first instance.*" I replied, it was true; and that, though sup-

posed to be granted under this commission, and in the course of the treaty, I hoped it would make no difference with gentlemen, who were so well disposed to put an end to this unhappy business, as I knew him to be. He then asked if I had instructions. I said I had, and that they were under his Majesty's hand and seal; and that by them it appeared independence, unconditional in every sense, would be granted, and that I saw no reason why it should not make the first article of the settlement or treaty. That I was sorry Mr. Jay should have hesitated so much on that head, as if it ought to have been done separately, and by act of Parliament; and now, Parliament being up, that the grant should be made by proclamation. That I did not pretend to judge whether the right and authority of a grant of that kind, so conveyed, would be proper and effectual. There seemed, however, to be one inconvenience in it, that a proclamation became an address to the Congress, and to every part of their provinces, jointly and separately; and might, so far, interfere with the progress of the present commission, under which we hoped, that all pretensions would be properly and expeditiously settled. That in this matter he was a better judge than I could pretend to be. I was only sure of one thing, that the affair might be as effectually done, as in the way proposed by Mr. Jay.

The Doctor replied, that Mr. Jay was a lawyer, and might think of things that did not occur to those who were not lawyers. And he at last spoke, as if he did not see much or any difference; but still used such a mode of expression, as I could not positively say would preclude him from insisting on Mr. Jay's preposition, or some previous or separate acknowledgement. I was glad to get clear of the subject, without pushing for

further explanation, or discussion, or yielding further, as I have mentioned, than to a preliminary Acknowledgement in the course of the Treaty.

I then said after that was done, I hoped there would not be many things to settle; and that the Articles called necessary, which he specified on the 10th of July, would pretty nearly end the business: and that those called Adviseable, which as a Friend to Britain & to Reconciliation he had then recommended, would be dropped or modified in a proper manner. That I had fairly stated the case at home, and could not but confess that I had this answer from one of his friends. — To this I cannot say I had any reply.

I then told the Doctor there was a particular circumstance, which of myself, I wished to submit to his consideration, as a friend to returning Peace.

England has ceased all hostilities against America by Land. At Sea it was otherways, & however disposed we might be to stop these proceedings, there also, I could not see how it could be done until the people of America adopted the same plan. At the same time I was sensible that by the strict letter of their Treaty with France the Americans could not well alter their conduct before we came to a final settlement with that Nation. That this was an unfortunate dilemma for both of us: that we should be taking each other's ships, when perhaps we might in other respects be at perfect peace, & that notwithstanding thereof, we must continue in this course waiting for a conclusion with France and other nations, perhaps at a distant period. That although I had no orders on this head, yet as a continuance in this species of hostility seemed to be so repugnant to the motives and principles which had determined a cessation on the part of England by land, and was

certainly a bar to that cordial Reconciliation which he so much wished for. I could not avoid submitting the case to his consideration, to see whether he could find some remedy for it.

The Doctor replied, he could not see how it could be done ; it would be a difficult thing. However at least he said he would think of it.

I next touched upon the subject of the Loyalists, but could not flatter myself with the hopes of its answering any good purpose: the Doctor having from the beginning assured me they could take no part in that business, as it was exclusively retained under the jurisdiction of the respective States, upon whom the several claimants had any demands: & there having been no power delegated to the Congress on that head, they as Commissioners could do nothing in it.

I only said that I was sorry that no method could be suggested for a reasonable accommodation in a matter which I could not but suppose he would admit has a natural claim to the consideration of Government. I thought it to no purpose to go any farther on the present occasion. If afterwards things of more immediate concern & importance should get into a smooth train of proceeding and be established, and I would venture freely to appeal to their unprejudiced humanity and good sense, I would try it ; although without hopes of their taking any other part than in suggesting of means and expedients & perhaps favouring the proposals in the way of private recommendation to their countrymen. As to the ungranted or unappropriated lands, although they were undoubtedly the reserved property of His Majesty in all the States, I am afraid when I come to state that claim as a fund towards indemnification the Comm^{rs} will pretend these Lands fell

with the States as much as the King's Court Houses &c.

Upon the whole of this matter the Doctor said nothing, but that he was advised that the Board of Loyalists in New York was dissolved by Gen^l Carleton which he was glad of.

The Doctor at last touched upon Canada, as he generally does upon the like occasions, and said there could be no dependence on peace and good neighborhood, while that country continued under a different government, as it touched their States in so great a stretch of frontier. I told him I was sensible of that inconvenience; but, having no orders, the consideration of that matter might possible be taken up at some future time. At my coming away, the Doctor said, that although the proper commission was not come over, yet, he said, Mr. Jay would call on me with a copy of their credentials. This being Sunday, he said the copy would be made out on Monday. On Tuesday, he must go to Versailles, being the Levee day; but on Wednesday they would call with their papers.

So that to-morrow I shall probably have the honour of seeing those gentlemen and of course may have something still to add to these tedious writings.

PARIS 15 August 1782
and 17th.

In the conclusion of the papers of the 13th instant I said that Doct^r Franklin and Mr. Jay were to call on me as yesterday to exchange Credentials: but they did not call. I went out therefore this morning to the Doctor to inform him that the Commission had come to hand, of which I told him I would have informed him sooner, if I had not expected him yesterday. He excused himself on account of Company coming in, which

made him too late for coming into Paris that forenoon ; but that to-morrow he and Mr. Jay would certainly call. He said he was glad the sealed commission was come. There was nothing material said on the subject of business.

I returned to Paris and called on Mr. Jay to inform him in like manner of the Commission being arrived. At the meeting with this gentleman I own I was under some concern on account of our former conversation, But I was agreeably disappointed having found him in the best humor & disposed to enter into a friendly discussion on the business I came about.

He did not seem desirous of going back upon past transactions, as on the former occasion & chiefly pointed at the object of a present settlement. He said we had it now in our power to put a final period to the misfortunes we complained of by carrying into execution what had been solemnly intimated to them, and which Sir Guy Carleton had orders to communicate to the Congress in America ; a copy of whose instructions they were in possession of. One article of which says that His Majesty was to grant an unconditional Independence to the Thirteen States of N. America. But that way proposed of making the same rest upon the events and termination of a Treaty did not come up to that description and was a mode of performance which would not give satisfaction to the Congress or People of America, and could not be considered by them as absolute and unconditional if only standing as an Article of a depending Treaty. And upon the whole that they would not treat at all, untill their Independence was so acknowledged, as that they should be on an equal footing with us, and might take rank as Parties to an agreement.

That in this they had a fair precedent in the settlement of the Dutch with the Spaniards, who refused to enter into any Treaty until they were declared Free States. That if we wished for Peace, that was the only way to obtain it; and if done with a becoming confidence & magnanimity we should not only get peace in the result, but by the concurrence of better management hereafter he also hoped that a happy Conciliation and Friendship would be restored and perpetuated between both countries, notwithstanding all that had happened: which, he said, would give him great pleasure.

But that if we neglected this opportunity, and continued our hesitation on that head as we had done, we should then convince them of the justice of their suspicions of designs which he would not name, and should force them into measures which he supposed I had discernment enough to guess at, without coming to further explanation. That he should be extremely sorry to see things run into that strain, and therefore as the method proposed was indispensable he could not seriously advise and recommend it.

A good deal more this gentleman said to the same purpose without any appearance of resentment or disgust. On the contrary he delivered his sentiments in a manner the most expressive of a sincere and friendly intention toward Great Britain. I should not do him justice if I said less: and I am the more inclined to be particular in this part of the Report, that I was so free in my remarks on his former conversation, especially in my suspicions of an actual or premeditated connection with Foreign States, on account of his particular idea of guarding against the violation of Treaties, as mentioned in the preceding papers, but which although I could perceive was present to his mind on this occasion

also, yet I am now convinced had gone no farther than speculation. And, as he said himself, and which I really believe, he would be heartily sorry that should be forced to have recourse to.

And so it was settled with the Commissioners. However, afterwards, in casting my eye over the preamble of the draft where it is stated, *as if Sir Guy Carleton had orders to propose a treaty of peace to the Congress*, and believing this to be a mistaken quotation of memory from the copy of Sir Guy's instructions in possession of the commissioners, and, as such, inferring an unjust imputation on the consistency of the conduct of Administration, and apprehending also that the Commissioners' entertaining a doubt of this nature might have been the reason, why they wished to be guarded with all this caution in requiring this special acknowledgement under the great seal, besides keeping their minds in suspense in all future proceedings, where confidence in good faith ought to smooth the path on many occasions to a happy termination; I say, in reflecting on these things, I thought it my duty, and I confess I was, on my own particular account, a little anxious to have an explanation of this matter.

And therefore, after it had been agreed, in the presence of Dr. Franklin and Mr. Jay, that I should send off the draft, I took the liberty to point out to them the said preamble, telling them, that there might be a possibility of mistake in the quotation in the last part of the paragraph. Mr. Jay said he had not the copy of Sir Guy's instructions, and acknowledged he had inserted those words from a general impression, that remained on his memory, and could not positively say but there might be some mistake. Dr. Franklin said he had the copy of the instructions, and would send a duplicate to

Mr. Jay in a few hours. He did so, and I waited on Mr. Jay to see the papers. Upon the perusal, he owned he had been mistaken, and that Sir Guy's instructions went no further than an order of communication, to inform the Congress and General Washington, that his Majesty intended (or had given directions) to grant free and unconditional independence in the thirteen States. Finding this prejudice entirely removed, and that Mr. Jay was perfectly satisfied that the whole course of proceeding in the matter was fair and consistent, I asked him, what occasion there was then for this extraordinary caution of insisting on the solemnity on each separate deed under the great seal, since a preliminary clause or article in the treaty, as always intended, might do the whole business, by making it absolute, and not depending, on the view of ascertainment, on the event of other or subsequent articles, and which might be so expressed as to remove every doubt, as to the independence being as free and unconditional as they desired it to be. In confirmation of the greater expediency and despatch of this method, and that it was the sincere intent of his Majesty to make this grant in the precise way they desired, I thought myself warranted in telling him, that I had a full power in my instructions to give them entire satisfaction on this head, and made no scruple of showing it to him, as it stood in the fourth article thereof.

Upon the perusal, Mr. Jay said that was enough, and he was fully satisfied; and there was no occasion for any other writing on the subject; that resting upon this would save time, and he was happy, also, that his discovery of his mistake prevented their asking of his Majesty any further proof of his good intentions toward them, than what were actually meant and conveyed in

those my instructions. Upon this I promised immediately to send off this representation, and also to desire leave and permission to make an absolute acknowledgment of the independence of the states, to stand invariably as the first part of the proposed treaty with those gentlemen. Meantime I think it proper to send enclosed the intended draft (though now of no use here) to show, by the words scored in the preamble, the grounds of those gentlemen's hesitation, and what gave occasion for a separate deed under the great seal.

I have now to add, in relation to my last conversation with Mr. Jay, that after having quitted the subject of their particular affairs and thinking myself at liberty to enter into a greater freedom of conversation, I wished to take the opportunity of saying something relative to foreign concerns, to a man of good sense and temper, who in his present and future situation may have it in his power here and elsewhere to exemplify by his good offices, those favourable inclinations respecting Great Britain which he so freely and warmly expressed on the present occasion.

Accordingly at proper periods I made no scruple in throwing out the following observations. That after settling with them, which I hoped would end to the satisfaction of both parties, our next concern regarded a settlement with France and other foreign nations. That as yet I understood we could make no guess as to what France aimed at, they kept themselves on the reserve, perhaps partly with a view of being in the same measure governed in their proposals by the manner in which our settlement of American affairs may proceed.

That in the course of the American war they had taken the opportunity of making separate conquests for themselves, and encouraged by this late alteration in

our system, it may be supposed they were projecting some hard terms of settlement for us, by their delay in coming to particulars excepting only their declaration of having no interest or concern in the article of American Independence, and consequently that in every view of Equivalent, it is to have no place in abatement of their claims of retention or farther requisition.

That having taken the Spanish and Dutch concerns also under their cover, and so as not to treat but jointly, or in concurrence with them, the prospect of a speedy and favourable settlement for Great Britain became still the more unpromising; unless they the Commissioners of the Colonies should interfere to check the exorbitancy of the terms which thus might be expected to be insisted on by such formidable combinations of foreign States.

And this prospect I said was still worse, that I understood he himself (Mr. Jay) had concluded or was about to conclude a Treaty with Spain, on the same footing with that which the Congress had settled with France. That the restraining clause in those treaties regarding Truce or formal Peace between England and America, until there was also a final settlement with those foreign States was a most unlucky circumstance and therefore the more of those Treaties the Commissioners entered into, so much the worse for England.

A great deal more I said, but being chiefly of a speculative kind regarding future times and the different situation we should be in from what we had formerly been, and the need we should feel of a friendly attention on the part of the Colonies, with other things of so general a nature, not necessary to be repeated here.

In answer Mr. Jay replied to the following purpose: — That we have only to cut this knot of Independence

to get rid of many of those apprehensions: that if we lookt better to our conduct for the future we might be sure of recovering and preserving a solid and beneficial friendship with the Americans: that for the last twenty years he could not say much for us, yet he said more, particularly regarding the fairness and sincerity of our professions, than I chuse to repeat.

He continued by saying, that England under a wise administration was capable of great things. Such a country, such a people, and blessed with such a Constitution had nothing to fear, and in thirty years would forget all her present difficulties &c.

That as to the Spanish Treaty, he had not proceeded far in it; and unless we forced them into those engagements he did not see that the people of America had any business to fetter themselves with them: and in the mean time he assured me, he would stop as to this of Spain which I was very glad to hear of.

He said that he supposed the terms of France would be moderate; and in that case he would give his advice, that when they came to light, that the Court of England would consider them with temper, and after making a deliberate estimate of the price they can afford to give for peace, to strike at once without haggling about it. That if their Independence was once settled he hoped that next Winter would put an end to the war in general. That it was true there was a look here towards another Campaign, and what might be the possible consequences of the operations in the interior; and touched upon the East Indies as if great expectations from thence were entertained at this Court &c.

Amongst other things I omitted, when we were talking of Independence, that I mentioned by the by as if it were understood, that when America was independent

of England they would be so also of all other nations. Mr. Jay smiled and said they would take care of that, and seemed in his countenance to express such disapprobation of any question being put on that head, as would make one cautious as to the manner in which any stipulations on that subject should be proposed to those gentlemen.

PARIS 17 Aug 1782.

RICHARD OSWALD.

Oswald to Shelburne.

PARIS SUNDAY 18 Aug 1782.

MY LORD,—I am just now jointly with Mr. Fitzherbert sending off a courier on the subject of this American business, with so great a volume of writing, that I would be ashamed to touch upon it separately, and think it unnecessary, as I make no doubt your Lordship will desire to see some part of it, which I very much wish for on different accounts, and amongst others that I may know your Lordship's sentiments, and have your directions, and also corrections where you think necessary. In these papers your Lordship will see that the American Commissioners will not move a step until the Independence is acknowledged. And all I have been able to gain upon them, is to take it into the body of a Treaty, but there as a preliminary Article to be signed and sealed as a ratified deed, come of the subsequent Articles what may. I hope however in that way we may get on provided orders are sent me to make the acknowledgement in the final form as above mentioned. If that is granted, the sooner the order comes the better. Until the Americans are contented Mr. Fitzherbert cannot proceed. I cannot pretend to advise anything, and therefore must leave the issue to such conclusions as

can be inferred from the facts in the papers I now send over which I answer for.

There is one thing I beg leave to mention to your Lordship that may be material till this business is further advanced that nothing of this consequence gets over to this place, by the papers lying about or getting into other hands than those who have a right to see them. I could not use the freedom to hint this to Mr. Townshend as if I doubted of these things being cautiously attended to in his office and yet if your Lordship would be so good to mention it to him, I should be the easier and write perhaps with greater freedom.

I have great pleasure in all occasions which occur in my communications with Mr. Fitzherbert in whose appointment as I mentioned before, I have reason to think your Lordship has made a happy choice.

I have the honor to be with sincere regard and esteem &c.

CHAPTER VI.

JAY TAKES CHARGE OF MATTERS.

THE reader will perceive that there were almost as many opinions in regard to Oswald's commission, as there were persons who had had a sight of it. Franklin was inclined to think it would do. His reason for this opinion was, as we have seen, that he held that Oswald's acceptance of the American commission, wherein the American commissioners were described as ministers of the United States, was tantamount to an acknowledgment by England of American Independence. Vergennes was also of this mind, and held as well that it was unreasonable to expect an acknowledgment of Independence before the discussion of the treaty which was to make it. Both, desiring peace, and knowing the danger of delay, thought best to accept the commission, and begin the discussion of the articles.

Jay could not agree with this view. It appeared to him that the United States would derogate from its dignity as an independent power, should she consent to treat before her independence was acknowledged. He would not accept Vergennes's opinion, for he now thought that France was inclined to block the wheels of America. Nor did he accede to Franklin's ideas, for he believed that Franklin was so much blinded by his regard for the French Court, that he could not see clearly what was best for America. Jay was in a very

painful position. He was the youngest of the commissioners. He had a great respect for Franklin. He was bidden by his instructions to have the greatest regard for the opinion of Vergennes. But, as he saw his duty, he was compelled to act in opposition to both of them. He resolved not to proceed until the independence of the United States was acknowledged. At this time he must have received some moral support from John Adams, who felt exactly as he did. "For my own part," wrote Adams to Jay on the 13th of August, "I am not the minister of any 'fourth state' at war with Great Britain, nor of any 'American colonies.' . . . I think we ought not to treat at all, until we see a minister authorized to treat with 'the United States of America,' or with their ministers."¹

It is impossible not to admire the firmness of these two men. But we should also consider the feelings of Franklin, who knowing that peace must be made before Parliament should meet on the 26th of November, and knowing also that it was of prime importance that America should keep well with France, saw the golden time of Shelburne's ministry slipping away, and the good will of Vergennes strained to its utmost, and all because of a point which he rightly thought was one of minor importance. But Franklin could not convince Jay. Besides this, he was taken ill with the gravel at about this time, and the younger man found himself in almost complete charge of affairs.

It must have been with some anxiety that Oswald and the American commissioners waited for the English answer to Oswald's voluminous report. When it arrived, it put matters no farther forward than before.

On the 1st of September, Townshend wrote to

¹ Works, vii. 610.

Oswald, after expressing the King's satisfaction at his proceedings, as follows:—

“ But you are at the same time to represent to them, if necessary, that the King is not enabled by that Act to cede independence unconnected with a truce or treaty; and that, therefore, the cession of independence cannot stand as a single, separate article, to be ratified by itself, but may be (and his Majesty is willing it shall be) the first article of the treaty, unconditionally of any compensation or equivalent to be required in the said treaty. . . . If the American Commissioners are, as his Majesty is, sincerely disposed to a speedy termination of the calamities of war, it is not to be conceived that they will be inclined to delay, and to embarrass the negotiation, by refusing to accept the independence as an article of the treaty, which, by that means, may be secured to them finally and completely, so as to leave no possible ground of jealousy or suspicion.”

That is, the English ministry was not inclined to give way to Jay. On the same day Shelburne also wrote to Oswald:—

SHELburnE HOUSE, 3 Sep. 1782.

DEAR SIR,— I am to acknowledge your letters of the 18th and 21st.

As Mr. Townshend sends the King's determination upon your despatches to him after taking the advice of the whole Cabinet, I will not trouble you upon any of those.

I communicated your letter of the 18th to Mr. Townshend, thinking it the best way of suggesting the caution you recommended in regard to his office. I had less difficulty in doing so because if your suspicions arose from D^r. Franklin's reference to Sir Guy Carleton's instructions, the fault, if it lies anywhere is probably

due to my own mis-judgement and to no ones carelessness whatever.

There were two persons, Mr. Hartley and Mr. Vaughan, who had more or less knowledge of my letter to Sir Guy Carleton of the 5th June last.

I will not trouble you with all the particulars which passed between Mr. Hartley and me nor with the motives which induced me to entrust him with that despatch for 24 hours under a promise of his taking no memorandum from it whatever, as they regarded the King's service at home as well as abroad — Tis sufficient to tell you that after having declared his approbation of both the formation and principles of [the] ministry as we now stand, his readiness to embark with them upon a general line as well as upon the particular line of America and his actual acceptance of a Commission which has been to be appointed to examine into the circumstances and pretensions of the several refugees here, he chose suddenly to decline the whole, after having as I have good reason to know, consulted with Dr. Franklin, to what extent I cannot take upon me to say, declaring that he was satisfied the present Treaty could not succeed.

Mr. Vaughan on the other hand, brought me a letter from Dr. Franklin to him which I have still in my possession from which the following is an extract.

“ You speak of a ‘proposed dependent State of America, which you thought Mr. Oswald would begin with.’ As yet I have heard nothing of it. I have all along understood (perhaps I have understood more than was intended), that the point of dependence was given up, and that we are to be treated with as a free people. I am not sure that Mr. Oswald has explicitly said so, but I know that Mr. Grenville has, and that he was to

make that declaration previous to the commencement of the treaty. It is now intimated to me from several quarters, that Lord Shelburne's plan is, to retain the sovereignty for the King, giving us otherwise an independent Parliament, and a government similar to that of late intended for Ireland. If this be really his project our negotiation for peace will not go very far. The thing is impracticable and impossible, being inconsistent with the faith we have pledged, to say nothing of the general disposition of our people. Upon the whole I should believe, that, though Lord Shelburne might formerly have entertained such an idea, he had probably dropped it before he sent Mr. Oswald here; your words above cited do however throw a little doubt in my mind, and have, with the intimations of others, made me less free in communication with his Lordship whom I esteem and honor, than I should otherwise have been. I wish therefore that you would afford me what you can of *éclaircissement*.

"This letter, going by a courier, will probably get to hand long before the one preceding in date, which went by Mr. Young, who travels on foot.¹ I therefore enclose the copy of it, which was taken in the press. You may return it to me when the other arrives.

"By the return of the courier, you may oblige me, by communicating what is fairly communicable, of the history of Mr. Fox's and Lord J. Cavendish's resignations with any other changes made or likely to be made." Giving full credit as I have done throughout this negotiation to Dr. Franklin's sincerity, I explained to Mr. Vaughan how little foundation there was for such suspicion, and upon his offering to go to Paris, instead of writing, for the single purpose of satisfying Dr.

¹ Arthur Young, the agriculturist.

Franklin's mind upon the matter of fact, I allowed him to copy in short hand the particular passages which I afterwards marked to you, as fit to be communicated for his private instruction. His intention was to return in two days. He has staid at the earnest desire of Dr. Franklin. I have had several letters from him. They contain no return of confidence from Dr. Franklin whatever, nor any account how far his communication went, but anecdotes of the day, which I hope were picked up from the conversation of Dr. Franklin's family rather than his own, as they were more calculated to intimidate, than to gain. I have never written to him, as you will perceive by the terms of a letter which I now endorse under a flying seal for your inspection.

I did not think it necessary to trouble you with these particulars, as I flattered myself they would have explained themselves to you in the course of the negotiation, having been calculated to remove distrust and facilitate every communication.

In this view, however, I think it highly material that you should not let Dr. Franklin conceive you ignorant of what was never intended to be concealed from you. I leave the manner to your discretion, as well as to what degree to enforce the singular unfairness of converting what was intended to aid you, and at any rate bore the marks of the greatest personal confidence and regard through a channel of his own choice, if he meant to avail himself of it, as [into] a means of surprising and embarrassing you in the conduct of the general negotiation.

I own myself for the present not a little disappointed to find that so much confidence on our part, joined to the expediting your Commission, the extent of it and the decided language of your instructions, should, so far

from improving the dispositions stated in your letter of the 10th of July, have produced a quite contrary effect. I cannot easily bring myself to consider Dr. Franklin's Professions as so many leurs [lures] or readily change the opinion you confirmed me in of this gentleman's sincerity, but these circumstances make me, I own, anxious to observe his future conduct, and determine not to trespass on the King's confidence by making further advances out of my department than his future communication called for.

In the mean time, 'tis now in his power to prove at once the uprightness of his character and the consistency of his conduct in regard to men and things.

The perfect good understanding and unreserved communication which subsist between you and Mr. Fitzherbert give every one satisfaction.

Oswald details the events on the arrival of these letters in a long, journal-like letter to Townshend: —

PARIS, 10th Septem^r, 1782.

SIR, — By the Courier Ramspach, who arrived here on the 3rd I had the honour of your letter of the 1st inst. Upon receipt of it, I went out to Doctr. Franklin; he ask't me whether I had any directions relative to the point upon which the last Courier had been dispatched to England, regarding a previous declaration of the Independence before a commencement of Treaty. I told him I had got instructions on that head, which, although they empowered me only to make such Declaration as in the first article of the Treaty, yet I hoped upon a due consideration of the matter, they would appear to be fully satisfying. He said, if there was [no] particular objection, he could wish to have a copy of that

instruction. I told him it should be sent to him. He was ill at the time, and as he could not come to town, he gave me a letter to Mr. Jay desiring him to come out to him in the evening.

I called on that Gentleman, when informing him of the manner in which I was authorized to treat, he said they could not proceed unless their Independence was previously acknowledged as to be entirely distinct and unconnected with Treaty. In the course of this conversation and the day after a good deal was said of the same nature with what had passed on former occasions relative to this subject, as advised in my letters of last month.

Two days ago, Dr. Franklin sent to me, desiring a copy of the instructions, which I had promised. I copied out the first part of your letter, leaving out some immaterial words, and sent it enclosed in a letter from myself, of both of which papers there is a duplicate under this cover. Since then, I have seen Mr. Jay frequently, and have used every argument in my power to get him over his objections to treating without a separate and absolute acknowledgement of independence. And for that purpose I found it necessary, though unwillingly, yet of my own private opinion, to tell him, that there might be a doubt whether the powers in the Act of Parliament went so far as to allow of making that grant, otherwise as in the course of a treaty for peace, which, as you are pleased to observe, was the sole object of the Act.

I said, moreover, that if they still persisted in this demand, there could be nothing done until the meeting of Parliament, and perhaps for some considerable time thereafter; that certain articles had been already agreed upon, and, if we went on and settled the treaty on that

footing, with independence standing as the first article of it, we might give an opportunity to the foreign treaties to be going on at the same time; so as, for a conclusion of a general peace, there might be nothing wanting, at the meeting of Parliament, but a confirmation of the first article, in case it should be then thought necessary; which I imagined would not be the case.

In answer to this Mr. Jay said there could be no judgment formed as to when the foreign Treaties would end, and that until that with France was concluded, they of the Colonies could not give us either Peace or Truce; nor could they presume so much as to give an opinion of the demands of France whatever they might be; since until their Independence was acknowledged absolutely and unconnected with Treaty, they were as no body and as no People. And France could tell them so, if they were to pretend to interfere, having failed in acquiring that character, for which they had jointly contended. And therefore they must go on with France until England gave them satisfaction on the point in question. That to this they were bound by Treaty, which their constituents were determined honestly and faithfully to fulfill. That being the case, it could not be expected that they as servants could take it upon them to dispense with the said acknowledgement.

That by looking over the sundry Resolves of their Congress, I might see that that Assembly did not mean to seek for their character in an article of any Treaty. And for that purpose Mr. Jay recommended to me the perusal of sundry parts of their proceedings, as they stood in the Journals of Congress, which he would mark out for me; and if I would extract and send them to England they would serve, at least as an excuse for them as Commissioners in thinking themselves bound to

abide by their demand. Mr. Jay accordingly gave me Four Volumes of their Journals, with sundry passages markt out, as above. Mr. White has been so good as to copy them out and they are inclosed.

Mr. Jay was kind enough also to read to me an Article of their Instructions to the same purpose and likewise certain paragraphs of two late letters from his Colleague Mr. John Adams in Holland expressly declaring that they ought not to proceed in a Treaty with England until their Independence is acknowledged.

In the course of these conversations it may be supposed this Gentleman took frequent opportunities to refer to the offer by Mr. Grenville to acknowledge their Independence in the first instance: which they always considered to be absolute and unconnected in every shape with the process of a Treaty; and could not conceive the reason why that which we were willing to give them in May, should be refused in August. If it proceeded from there being less confidence on our sides on this occasion, the change ought to make them still more cautious than usual on their part. Mr. Jay also insisted on that offer of Mr. Grenville as a proof that the same thing being denied now, could not proceed from any supposition of restraint in the Enabling Act.

To avoid being tedious, I forbear repeating a great many more things, which passed in those conversations with Mr. Jay. Dr. Franklin being so much out of order, I could not think of disturbing him by frequent visits to Passy, and therefore continued taking proper opportunities of talking with Mr. Jay; and the more readily, that, by any judgment I could form of his real intentions, I could not possibly doubt of their pointing directly at a speedy conclusion of the war, and also leaning as favorably to the side of England, as might

be consistent with the duties of the trust he has undertaken.

To convince me, that nothing less than this stood in the way of agreeing to my request of accommodating this difficulty in some shape or other, he told me at last, if Dr. Franklin would consent, he was willing, in place of an express and previous acknowledgement of independence, to accept of a constructive denomination of character, to be introduced in the preamble of the treaty, by only describing their constituents as the Thirteen United States of America. Upon my appearing to listen to this, and to consent to the substitution, he said, "But you have no authority in your commission to treat with us under that denomination; for the sundry descriptions of the parties to be treated with, as they stand in that commission, will not bear such application to the character we are directed to claim and abide by, as to support and authenticate any act of your subscription now proposed. There is such a variety of denominations in that commission, that it may be applied to the people you see walking in the streets, as well as to us."

When, in reply, I imputed that variety to the official stile of such like papers, Mr. Jay said it might be so, but they must not rest a question of that importance upon any such explanation; and since they were willing to accept of this in place of an express Declaration of Independence, the least they could expect was, that it should appear to be warranted by an exceptional authority in the Commission.

I then askt if instead of "States" it would not do to say "Provinces;" or "States or Provinces." Mr. Jay said neither of these would answer.

I then begged the favour of him to give me in writing,

some sketch of the alteration he would have to be made in the Commission. He readily did so, in a minute which is inclosed, to be more largely explained if necessary when the Commission comes to be made out. He also said that this new Commission must be under the Great Seal as the other was.

Before I quitted this subject, I tried one other expedient for saving time, and avoiding the necessity of a new Commission, by reading to Mr. Jay the second article of my Instructions which empowers me to treat with them as commissioned by Constituents of any denomination whatever; and told him that although this power meant only to apply to character as assumed by them and not to an admission by me without exception; yet in the present described character of States I would not only admit their assuming that appellation in the preamble of the Treaty, but I would venture to repeat it, so as it should appear to be an acknowledgement on my part. In doing so I could not suppose any hazard of objection at home, considering what had passed on a former occasion as above mentioned. But Mr. Jay said they could admit of no authority but what was explicitly conveyed to me by a Commission in the usual form. And therefore to put an end to this difficulty, there was an absolute necessity for a new Commission.

He at the same time told me that to satisfy His Majesty's Ministers of the propriety of their conduct, as Persons under trust, he had sketched out a letter to me, which I might send home if I pleased. He read the scroll to me, and promised to write it out fair, and give it to me before the departure of a Courier.

So the affair rested yesterday from Doctor Franklin desiring a copy of the 4th article of my Instructions

which I had shewn to Mr. Jay, as formerly advised. Inclosed there is a copy of the Doctor's letter.

Doubting, as to the propriety of giving such things in writing, I thought it was best to go out to Dr. Franklin's, carrying the instructions along with me, to see whether a reading of that article could not satisfy him. But, after reading it, as he still expressed a desire of having a copy, I told him, that although I had no order to that purpose, yet, at any hazard whatsoever, since he desired it, I would not scruple to trust it in his hands. And I then sat down and wrote out a copy, and signed it, which, after comparing it with the original, he laid by, saying very kindly, that the only use he proposed to make of it was, that, in case they took any liberties for the sake of removing difficulties, not expressly specified in their instructions, he might have this paper in his hands, to show in justification of their confidence, or some words to that purpose; for I cannot exactly quote them. The Doctor then desired I would tell Mr. Jay he wished to see him in the evening. He did go out again that night, and again this morning, no doubt with a view of agreeing upon an expedient for removing those obstacles to their proceeding, as hinted at in the Doctor's letter to me.

At noon, and since writing the above, Mr. Jay called and told me, that upon further consultation and consideration of the matter, it was thought advisable not to press upon his Majesty's ministers those arrangements, which he proposed to make in the letter he intended to write to me (and which it was understood I might send home), as considering it somewhat more than indelicate for them to pretend to see more clearly, than the King's ministers might do, the expediency if not the necessity, at this critical time, of deciding with

precision and dispatch upon every measure, that can reasonably be taken for extricating Great Britain out of her present embarrassing situation, in which her affairs must continue to be involved while there remains any hesitation in coming to an agreement with the States of America.

I liked the scroll of the letter so much when it was read to me yesterday, that I was sorry it was withheld. I even pressed to be entrusted with it, in gratification of my own private wish that the writer of it might receive from good men, that share of applause that is due to those who wish well to the peace of mankind in general, and who seem not to be desirous of expunging altogether from their breast, the impressions which had been fixed there by those habits and natural feelings by which Individuals are tied in attachment to particular combinations of Society and country. But I could not prevail, and was obliged to be contented with a recommendation to say what I thought proper in my own way.

There only remained for me to ask a single and final question of Mr. Jay, whether, in his last conference with the Doctor (for he was just then come in from him,) it was settled between them, that, upon my receiving from his Majesty a new Commission, under the Great Seal, such as the last, with an alteration only as before mentioned, of my being empowered to treat with them as Commissioners of the Thirteen United States of America, naming the said States by their several provincial distinctions, as usual; I said, whether in that case, they were satisfied to go on with the treaty, and without any other Declaration of Independence, than as standing as an article in that treaty. Mr. Jay's answer was that "with this they would be satisfied, and

that immediately upon such commission coming over they would proceed in the treaty. And more than that," he said, "they would not be long about it; and perhaps would not be over hard upon us in the conditions."

Having stated those conversations and other circumstances as they actually passed, to the best of my remembrance, it would not become me to go further by giving any opinion as to the measures proper to be taken in consequence thereof. Yet, sir, I hope you will excuse me, and I think it my duty to say thus much, that by what I have been able to learn of the sentiments of the American Commissioners, in case the compromise now proposed (which with great difficulty they have been persuaded to agree to) is refused, there will be an end to all farther confidence and communication with them. The consequences of which I will not presume to touch upon, either as regarding American or foreign affairs. On the other hand, if the expedient of a new commission is adopted, I beg leave to say, that no time ought to be lost in despatching it.

There being now four couriers here, and as they may be wanted at home, it is thought proper that one of them, as extra, may go along with the courier Lauzun, who goes from Mr. Fitzherbert's office.

I have the honor to be, Sir,

Your most obt and most humble servt

R. O.

With this was sent a *Minute of Alterations in Oswald's Commission* corrected as in draft.

A Commission (in the usual form) to Richd Oswald Esq^r to treat of Peace or Truce with [*interlined Commissioners*] Persons vested with equal powers by and

on the part of the Thirteen United States of America, would remove the objections to which his present Commission is liable, and thereby render it proper for the American Commissioners to proceed to treat with him on the subject of Preliminaries.

[Lower down on the same page Oswald adds, —]

11th Sept. In case the proposed alteration in the Commission should be agreed on, I humbly submit, whether it will not be proper in the description of the American parties to be treated with, to leave out a great part of all that variety of Denomination of Colonies, Bodies Corporate, Persons &c. as they now stand in the Commission, and to confine the description to just what is necessary, as in the sketch above mentioned, [or] with such further addition only as may not give offense to the Commissioners.

I have not said anything to Mr. Jay respecting the words of the above mentioned memorandum having forgot to do so. But I think the words *or Commissioners* would stand properly after or before the word *Persons* in the above minute.

Oswald to Shelburne.

PARIS, 11 Sept^r 1782.

MY LORD,—I had the honor of your Lordship's two letters of the 3^d inst. in consequence of which I took an opportunity of talking to Doctor Franklin on the subject of one of them in a general way, and by what he said I believe he is very much attached to his old friends [i.e., in England] and wishes it may be thought so; and does not encourage misrepresentations to their prejudice. He put into my hands a letter from one of his correspondents which it would appear he

don't like, otherways he would not have given it to me. There is a copy of it included.

I have wrote Mr. Townshend by this courier that I have now settled with the American Commissioners, that they will not insist on a previous and absolute acknowledgement of their independence, provided that the Commission for treating with them shall give them the denomination of the Thirteen United States of America. And then they will be contented with their independence standing only as an Article of Treaty. With great difficulty they have yielded to this mode of compromise. I hope His Majesty will grant it. If it is refused Mr. Fitzherbert as well as me may go home. And in my opinion it will not be an easy matter for any others to take up the same clue for extracting the nation out of the difficulties which I think is within our reach. Both the Commissioners I really think are well disposed, much better than I expected some time ago. Mr. Jay seems to be particularly anxious, that as they have agreed to go even beyond the limits of their instructions, His Majesty's Ministers may not balk their good intentions either by refusal or delay. To prevent this he scrolled out a letter to be directed to me, shewing the necessity of our attention and compliance with a view to my sending it home. But upon consulting farther about it, he was advised by his friend to drop it, and would not give me the letter. I have mentioned this in my letter today to Mr. Townshend. However I afterwards with much entreaty got him to give me the scroll, upon condition of my making only such use of it, as it should not appear in any public way, and so as it should not be heard of either here or elsewhere not even by some of his own friends. I take the liberty to send that paper inclosed. When Mr. Townshend

sees it, to which I can have no objection, I dare say he will excuse my not sending it to him, since I was not certain but that in such case it must be laid for inspection with other papers in the course of the negotiation. It is a clear proof of these Commissioners being particularly desirous of smoothing the path of this awkward business. If the proposal above mentioned is agreed to by His Majesty, which is only treating them as States instead of Colonies, I should think your Lordship, may have the pleasure of meeting Parliament with a Peace in hand. At least there would be a kind of certainty, as far as appearances can be relied on, to have so far satisfied America, as that she will not only control but spur on the other parties. This would calm the disturbances at home, by disappointing those who may wish to inflame them. I was once afraid that if Mr. Grenville's proposition could not be regranted or repeated that all the Treaties must wait to have the fiat of Parliament to that grant for laying the first foundation of any of the negotiations. Now all that is required is to say States instead of Colonies, and the whole machine is put into motion and will go its course. I will not allow myself to doubt of there being any hesitation on the subject. The only inconvenience is that there must necessarily be a new Commission. If that is agreed on, I hope there will not be an hour lost in despatching it. By what I can understand the French Court of all things, wish the Colonies may not be satisfied, but rather that they should go on treating without any acknowledgement of independence, and have actually told them that they were seeking for the effect without the cause, since it could only with propriety arise out of the Treaty. And so, wishing that they should continue unfixed and unsatisfied until their affairs and those

of their allies were satisfied, and there might be then no fear of check from the American Quarter. The Marquis de la Fayette is always going about the Commissioners anxious to know how they are like to proceed. On which head one of these gentlemen had sundry applications and he makes no scruple to give me these hints.

Mons^r de Vergennes who keeps these agents in motion, it is said, is to send his Secretary Mons^r Gerard¹ &c over to London upon some particular negotiation, it's thought in favour of Spain. That Court wishes to have the whole of the Country from W. Florida of a certain width, quite up to Canada so as to have both banks of the Mississippi clear, and would wish to have such cession from England before a cession to the colonies takes place. If that gentleman goes over there can be no difficulty in amusing him. The Spaniards have the French title and would gladly complete one to the whole of that district by patches from the English pretensions which they could not hope for once we have agreed with the Colonies.

I am very happy that your Lordship has so good a prospect of increasing strength to the present system. A quick and decisive settlement with the Americans will give it fresh vigour. I therefore hope your Lordship will bestow some attention to have that matter speedily carried forward. If it succeeds it is thought France will be moderate. The Commissioners say they will be so in all events. In anything I have to do with those gentlemen I could not wish to be on better terms.

I beg your Lordship's pardon for scratching away in this loose manner, but the truth is I have but just done

¹ Gerard de Rayneval. More commonly known by the latter name.

with my official despatches and the courier's hour of appointment being at hand, I cannot detain him.

I have the honor to be, with sincere regard and esteem &c.

This was a good, strong letter for Oswald to write. It is probable that it weighed much with Lord Shelburne. Indeed, it is hard to see how that minister could have done otherwise than grant the commission after such representations. He had great confidence in Oswald and in his good sense. He had also great confidence in Franklin, and was disposed, through Oswald's representations, to have the same in Jay. He could also see the good that would come of acceding to the American demand. It was by no means unknown at London that the French Court looked with an unfriendly eye on the American claims, and it was suspected that Vergennes would have been well pleased, could the war be protracted for another campaign, with a view to a more favorable arrangement for France and Spain. In such circumstances the natural policy would have been for England to endeavor to gain America, now that a misunderstanding had arisen. This was Shelburne's opinion. A Cabinet meeting was called to consider the question, and the despatches from Paris were laid before it. "It was at once agreed to make the alterations in the commission proposed by Mr. Jay."¹

Oswald's letter and Franklin's had not been the only forces brought to bear on Shelburne. Jay seized this critical point in the negotiation to make a bold, ill-advised, and perfectly successful, stroke. The American demands had been sent to London. It only remained to wait the answer. At this point Jay learned that

¹ Townshend to Oswald, 20th September, 1782.

Rayneval was going to England. With his views on the policy of Vergennes, it is not surprising that Jay at once jumped to the belief that he was going to assure Shelburne that France would not sustain America in her demands for boundaries and fisheries. His reasons for this were good. In the first place, such was the policy of the French Court. Of this Jay had become aware through the letter of Barbé de Marbois, which, having been intercepted by the English, had been by them sent to him. The second was, that Rayneval had, only a day or two before, seen fit to favor Jay with his "personal ideas" on a fit boundary for America, which "personal ideas" were most objectionable to Jay, as they would have been to every American. It also happened that M. de Rayneval travelled under an assumed name, and took pains to conceal his departure. It was evident to Mr. Jay that Rayneval was about to act in London against the granting the new commission.

Without communicating his step to Franklin, Jay persuaded Benjamin Vaughan, in whom he seems to have had great confidence,¹ to carry to Shelburne a verbal message. He carefully talked over with Vaughan the points to be presented. The amount of the communication was, that now was the time for England to choose between America and France. Vaughan set out for London on the 11th, and arrived again at Paris on the 27th. There is little evidence as to what he did, but his mission had been completely successful. The desired commission was forwarded, and at the same time came the following from Shelburne to Oswald: —

DEAR SIR, — Having said and done everything which has been desired there is nothing left for me to trouble

¹ Jay had too high ideas of Vaughan's position with Shelburne. See BANCROFT, revised edition, vol. v. p. 567, note and *supra*, p. 130.

you with except to add, that we have put the greatest confidence, I believe, was ever placed in men, in the American Commissioners. It is now to be seen, how far they or America are to be depended upon.

I will not detain you with enumerating the difficulties, which have occurred. There never was greater risk run.

I hope the public will be the gainer, else our heads must answer for it and deservedly.

Such was the end of Jay's separate step. It resulted in complete success.

It is idle to discuss to whom belongs the credit of this proceeding. Certainly not to Franklin. He knew but little of it, and disapproved thoroughly of what little he did know. But being in bad health, and being well acquainted with the firmness of his colleague, he had allowed Mr. Jay to do as seemed best to him.

It seems also impossible to decide just what credit should be assigned to Mr. Jay. It must be acknowledged that he acted in a manner contrary to the advice of his colleague, and contrary to his instructions. It must also be acknowledged, that matters turned out very much according to his mind. But that settles nothing. The question must be, "Did Vaughan's mission decide Shelburne to accede to the desires of America?" And this can never be certainly known. The historian who seeks to ascertain the fact is obliged to choose between two positions. One of these is to the effect that Shelburne had such confidence in Vaughan, that, on his assurance of the necessity of the commission, it was at once granted. The evidence for this is that of Vaughan himself, who wrote as follows, some fifty years after the interview: "L. (Lansdowne) only asked me,

Is the new Commission necessary? and when I answered yes, it was instantly granted." From this we should judge that Shelburne had implicit confidence in Vaughan. Yet it is matter of fact that Shelburne had not, nor had Franklin nor anybody else concerned in the matter except Mr. Jay.¹ If, therefore, we could satisfactorily account for Shelburne's proceedings without reference to Vaughan, we should desire to do so. We incline to think that he would have sent the commission without the intervention of Vaughan. For Vaughan told him nothing new, except that Jay was well disposed to the English, and jealous of France. Shelburne knew before that France and America did not agree in regard to the boundaries and fisheries, for Fitzherbert had insinuated as much to Grantham. He knew that the commission was necessary, for he had been assured of it in the most emphatic manner by Oswald, in whose judgment he had the utmost confidence. It is most probable that he had determined to grant it before Vaughan appeared.

However the facts may be in this case, the commission having once arrived, every thing was set in motion.

¹ It is hard, after reading carefully all the letters, to escape the conclusion that Mr. Vaughan was a well-meaning man of very great vanity, and that he unreasonably imagined himself to be a person of the greatest influence and importance. Franklin and Shelburne were each anxious to assure the other that they had no confidence in him. Yet his letters are always written as though they would be read with the greatest attention. See his letter of Nov. 27, his journey to London to persuade Shelburne to give up the Loyalists (*infra*, p. 180), and BANCROFT, vol. v. 567, note, as above.

CHAPTER VII.

THE POSITION OF VERGENNES.

IT will be seen that the French and Americans no longer pulled together. Throughout the war, there had always been the best understanding, and the most perfect accord, between Franklin and Vergennes, and the interests of France and America had been the same. Now that peace was at hand, diverse interests pulled the allies apart, and distrust and suspicion crept in between the American Commissioners and the French Court, on which they had been ordered in their instructions to rely implicitly. While the war continued, the sole desire of the allies had been to act as effectively as they could against England. Now that the time was approaching when an arrangement was to be made, when the maps of the world were to be changed for all coming times — now, in short, when each nation was to get what it could, it is not surprising that it was found that there was much in which the two powers were not at one.¹

As we have seen, Vergennes had looked upon Frank-

¹ This relation between America and France, between Vergennes and the Commissioners, is so important that it seems to call for a most special treatment. We, therefore, at the risk of repeating ourselves, give in the present chapter the letters from Vergennes to Luzerne, detailing the progress of the negotiation up to the present time, and various extracts and statements to illustrate the French policy during the summer and fall.

lin's dealings with Oswald, on the whole, with approval. He had kept a close watch on the whole proceeding, and, according to his usual custom, had written full accounts to Luzerne in America.

Vergennes to Luzerne.

VERSAILLES, April 9th, 1782.

The English Ministry has just fallen, Sir, and the principal members of the opposition make up the new administration. Admiral Keppel is the First Lord of the Admiralty, the Marquis of Rockingham takes the place of Lord North and the Foreign Office is given to Messrs. Shelburne and Fox. The first of these is especially charged with American matters. This revolution will doubtless bring in a new order of things, and it is more than probable that the American question will demand first the attention of the new Ministers. As the desire of the English nation is for peace and as the Opposition has been the mouthpiece and main-stay of that desire, it is evident that the Cabinet of St. James will put things in motion to be reconciled to their old colonies. They will probably make very seductive offers, they may go so far as to give up their supremacy, but they will desire to make a separate peace and to break the connection which exists between France and the Americans. I do not fear, Sir, that these latter will allow themselves to be drawn into a perfidious policy, because they are sufficiently clear-sighted to see that they would merely disgrace themselves without reward. But if they could hesitate a single moment as to the choice to make, there are two principal reasons which, it seems to me, would prevent them from giving themselves up to the English: first, because it is impossible that the Court of London should have pardoned the

United States their alleged felony and that they should give up the desire to punish them for it if ever occasion should offer. The second is that if the English Ministry appears on the outside calm and pacific, it is because it sees the impossibility of bringing back the Americans to the obedience as things are now, and that they hope to prepare more favourable circumstances by persuading them by the bait of peace to separate from their friends and to render them unworthy to find others. It is evident that in such circumstances, the United States would be at the mercy of England, and Europe would be a tranquil spectator of the vengeance which this irritated power might wreak on them when they stood alone and isolated.¹

. . . For the rest, Sir, although we do not desire that Congress should enter on any direct negotiation, nor that they should make a separate peace, we think of preventing it from following this system [by the rules] which we have laid down in the response made by us to the two mediating Courts. We are, and shall always be, disposed to consent that the American plenipotentiaries in Europe should treat according to their instruc-

¹ We have not met with much comment on this idea of Vergennes's. Dr. Francis Wharton, however, in his valuable notes on the negotiation of this treaty (to be found in the appendix to the second edition of his *International Law*), adverts to the same supposition, in considering the possible results of Fox's theory of unconditional acknowledgment of independence. "For what would have been the result," he asks, "of acknowledging the independence of the thirteen colonies, and then casting them adrift, to have their boundaries, their relation to the fisheries, to the Indians and the Loyalists, settled by a new treaty, to be negotiated after a general European pacification, when the States, whose sovereignty was then recognized, would have stood alone, Great Britain holding the ocean, the ports of New York and Charleston, and the Indian tribes as serfs wherever they might roam?" Dr. Wharton then points out clearly that it would be disastrous for the United States.

tions directly and without our intervention with those of the Court of London, while we on our side shall treat in the same way, provided that the two negotiations continue at the same rate and that the two treaties shall be signed the same day and shall not be good the one without the other.

The Same to the Same.

VERSAILLES, 28 June, 1782.

I have received, Sir, the dispatches which you have done me the honour to write me, from No. 211 to No. 221.

I must now, Sir, inform you of the turn of political affairs since my remarks of the 9th of April. It is particularly important that you should have a perfect acquaintance with them, because Congress will most certainly need direction in the important deliberations which are about to occupy it, the result of which will be of as much importance to us as to the United States.

The new English Ministry had no sooner entered upon its duties than it sent an emissary to Mr. Franklin to propose a separate peace to him. The same overture had been made, at about the same time, to Mr. Adams, and the old Ministry had taken, before that, certain devious ways to approach the former. Mr. Franklin replied to both in the most appropriate manner, and on his communicating to me the mission of Mr. Oswald (this is the name of the last English emissary) I charged him to request him to come and see me, if he believed that he would venture to do so. Mr. Oswald made no difficulty in presenting himself, and repeated to me what he had said to Mr. Franklin. My answer was conformable to that of the American envoy; and as Mr. Oswald allowed me to perceive the desire as well as the need of

the Court of London for peace, I did not hesitate to assure him that the King upon his part was very desirous of ending the war whenever he could do so with honor and safety. The disposition which I exhibited must have been very analogous to that of the Ministry of London, for Mr. Oswald determined to return himself to London to get a reply. This emissary returned soon and was very shortly followed by Mr. Thomas Grenville, brother of Lord Temple. The former was charged with renewing to Mr. Franklin the dispositions of the Court of St. James as regards America. The latter was commissioned to ascertain those of the King and to assure him that the King of England did not ask better than to treat with his Majesty. This feeling could not but be very agreeable to us. I replied to Mr. Grenville, at the particular command of the King, that His Majesty was ready to treat for peace, on condition that it should be general, and that the allies and friends of His Majesty should be satisfied. All this, Sir, passed before there had been received in Europe the news of the disastrous day of the 12th of April. There was room to believe that the check which our arms had received, the news of which had arrived at the very moment, so to speak, that I was giving my answer to Mr. Grenville, would alter the pacific disposition of the Ministry of London, but my apprehensions in this particular were not justified. The King of England ordered a full power in form to be sent to Mr. Grenville to treat for peace with His Majesty. In communicating to me this full power the English envoy told me that the King of England, in order to facilitate the peace, was ready to treat with His Majesty on the basis of Independence to the United States, provided that for the rest matters should be placed upon the footing of the

Treaty of 1763. The reply of the King to this proposition was; 1st, that Mr Grenville's full power was not sufficient because it made no mention of His Majesty's allies; 2^d, that His Majesty could not treat of the interests of America because he had no power in this respect, and that, besides, it was necessary for the dignity of the King of England, as for that of the United States, that a direct negotiation on this question should be opened.

The English Ministry felt the force and the justice of these reflections and did not hesitate to consider them. There arrived therefore for Mr. Grenville a new full power which authorised him to treat with all the powers involved in the war. In giving me a copy of this document Mr. Grenville told me that as the King of England was disposed to recognise and proclaim directly the independence of the United States, this object would no longer be a conditional clause in the peace, and that as far as France was concerned the English plenipotentiary proposed to take the Peace of Paris for a basis not of the peace, but of the negotiation about to be set on foot. On the 21st of this month I communicated to Mr. Grenville the reply of the King, and I allowed him to take a copy of it in order to be sure of the exactness of his report.

The Same to the Same.

VERSAILLES, June 28th, 1782.

According to the news which reaches me from England, I have reason to believe that the English Ministry has an almost unanimous disposition for peace; that disorder is already rife among the different parties which compose it, that the Rockingham section of which Mr. Fox is the support and the mouthpiece, and which

seems bent on a peace, is at daggers drawn with the Shelburne party supported by Lords Camden and Grafton. From this conflict, in which it is impossible to foresee the issue, there must result at least obstruction and embarrassment for the peace, perhaps it will even compel a cessation of those negotiations of which the first foundations have just been laid. I see already subterfuges which tend to make me suspicious. There was question of passing a bill to authorize the King of England to treat with the American Colonies. They pretend even that this bill has already been brought forward in the two Houses of Parliament, and I am assured to-day that it has been laid over to the first session of the new Parliament to be called.

From another side I am informed that Lord Shelburne has in America agents authorised to propose to the United States the adoption of the constitution which has just been granted Ireland, that is to say, to remove them from the legislation of the British Parliament and to have one for themselves, always reserving the approval of the Crown. This project, Sir, is certainly wholly visionary, and I am persuaded that Lord Shelburne will not be slow to be convinced of it: but it is not the less true, that this Ministry is about to inundate all corners of America with emissaries whose business it will be to put forth the system I have just pointed out to you, and the people is everywhere credulous. There is much room to fear that the American people may allow itself to run astray in its desire for peace, and that it may believe that it has gained everything in its triumph over the army of the English Ministry, which is pictured to them as the only author of all its misfortunes. I am very sure, Sir, that Congress and those who are enlightened will not be the dupe of these false insinuations, and that, true to their

principles, they will see happiness and safety for their country only in that Independence for which they have now fought for more than six years. But the people is very powerful in America, and it is possible that one may excite them and arouse such a fermentation as would give the greatest embarrassment to Congress. To obviate this inconvenience, I believe that it will be impossible to take too great pains in unmasking these British emissaries, and in rendering their proceedings fruitless. We are of the opinion, Sir, that in order to cut short their perfidious intrigues, the best course for Congress will be to proscribe them, or to invite the separate legislatures to do so. By this precaution and unless others which can be taken, [the text is obscure] should this prove a mere palliative, Congress would be left the mark for everything which the most perverse policy can suggest to the British Cabinet in the subjugation and seduction of America.

The intention of the King, Sir, is that you should acquaint with these ideas Members of Congress on whose discretion and influence you believe yourself able to count, and that you should point out how important it is that they should do whatever their prudence suggests to defeat in advance the measures of the Court of London, and to maintain among the American people the unanimity with which they have defended, up to the present time, the independence which they have acquired at the sacrifice of their peace and their blood.

The Same to the Same.

VERSAILLES, August 12, 1782.

You will have seen, Sir, by my despatches Nos. 35 and 36,¹ the nature and condition of the negotiations

¹ The two letters previously printed, of June 28.

opened here by Messrs. Oswald and Grenville; they have been arrested, for a time, by the inopportune retirement of Mr. Fox, and by the departure of Mr. Grenville, but they have just been resumed by Mr. Fitz-Herbert and I think it my duty to apprise you of the actual position of affairs.

You have seen by my preceding despatches, Sir, that according to Ministerial statements, the King of England, authorised by Parliament, was disposed to recognise directly the independence of America, and that this object would no longer be a conditional clause of the Peace. We supposed that to accomplish this the King of England would cause a declaratory act to be adopted by the English parliament, and we were confirmed in this opinion by the language of Mr. Grenville. But the act in question has never appeared, and we were vainly expecting it, when we learned the resignation of Mr. Fox. You will have seen, Sir, by the public papers, the quarrel which has arisen between that Secretary of State and Lord Shelburne. As to the motives which have determined him to retire from the Council, if we judge by subsequent facts, we are justified in thinking, either that Lord Shelburne wished to impose upon Mr. Fox's good faith, or that the principles which he professed, upon re-entering the Ministry, had changed. It appears certain that Mr. Fox both frankly and truly wished for a general Peace, with the Independence of America; and that Lord Shelburne has had no other aim than to deceive all parties, and above all to incite the Americans to acts of perfidy. We know that at the very moment when there was a question of establishing the negotiations here, that is to say, in the beginning of last June, Lord Shelburne directed Sir G. Carleton to propose Peace in America, and to proclaim the best

intentions of the King of England as regards Independence, on condition that the United States would lay down their arms, and would leave France the trouble of settling her own quarrel with Great Britain. Lord Shelburne pursued this crooked policy, I may say, to the extremity of bad faith, whilst Mr. Grenville was negotiating with us upon the basis which I transmitted to you in my dispatch No. 35. The retirement of Mr. Fox has necessarily suspended the negotiations; the existing Ministry having confined itself to assuring us that the change of Minister would have no effect upon the principles of the King of England, nor even on the propositions made up to the present time. We were awaiting this proof and the results of this declaration, when we were informed that they intended forwarding a commission authorizing Mr. Oswald to *tr  t* with the Plenipotentiaries of Congress, and another authorizing Mr. Fitz-Herbert to resume the line of negotiation opened by Mr. Grenville. Mr. Fitz-Herbert, in fact, called upon me on the 4th instant and produced the necessary powers to treat with us, with Spain and with the United Provinces. As to Mr. Oswald, he has as yet received only an authentic copy of his commission, the absence of the Chancellor having prevented its being sealed. The former has handed me a signed reply to the counter proposition of which I have sent you a copy, and this document contains the complete proof of the inconsistency of which Lord Shelburne has been accused. In it the Independence of America is no longer presented as a separate object and a condition of the Peace; on the contrary it is put forward as the price of Peace; and consequently they demand that everything should be restored to the same footing as arranged by the treaty of 1763. You will naturally understand,

Sir, that following this proposal, they have noted with astonishment the four points contained in our counter proposition, and have been careful not to admit them. In the meantime they have not entirely rejected them, but have asked us for an explanation. Such is the present state of things as far as we are concerned. As to Mr. Oswald, he has been to Messrs. Franklin and Jay with his commission, but these two Plenipotentiaries have deferred accepting or rejecting it until they have our opinion on the form and tenure of this document. Our opinion with respect to it has not yet been decided, and I think will not be, until after the conference which I shall have to-morrow with the two American Plenipotentiaries upon this subject: in that case I will inform you of the result by a postscript. All that I can say at present is that Mr. Oswald's commission is in the form of letters patent, that it is worded like all the domestic acts of the English Government, but that *the Colonies* are neither designated as rebels nor as subjects of the British Crown. I have few observations to add to the details into which I have entered, I will limit myself to remarking that it is with the greatest repugnance that the English Ministry, above all Lord Shelburne, agrees to a General Peace; and that it will only negotiate seriously and in good faith, when it has decidedly lost the hope of dividing the allies, and of being able to treat with each separately. The English Ministers are quite convinced that we, as well as Spain, are immovable in our resolution not to allow of any division, and we are persuaded on our part that the United States will remain firm in the principles they have enunciated: but it is to be presumed that the British Ministry continue to be deceived as to their perseverance, and that it will not cease to make attempts to mislead the

Congress or the American People until the Peace be signed. What you tell us of the disposition of both, expels every sort of distrust, and our assurance will be complete when all the States have followed the example of Maryland, Virginia and New Jersey.¹ The conduct of Congress leaves nothing to be desired and the King charges you to assure that body that His Majesty has most heartily commended it. But it is not enough, Sir, to show patriotism and fidelity towards one's allies; it is more necessary to put one's self into a position to impress the fact upon one's enemies; and this unfortunately is what the Americans do not do, and upon which, consequently, you cannot exhort them too strongly. . . .

P.S. The day before yesterday I saw Messrs. Franklin and Jay; we discussed the form and chief points of Mr. Oswald's commission, and we agreed that they should deliver a copy of their full powers to the English Commissioner, and that notwithstanding his solicitations they should defer entering into the subject with him until he had produced the original of his commission.

From all this, we may see very plainly the point of view from which Vergennes considered the Anglo-American negotiation. He had slight confidence in the sincerity of Lord Shelburne. He thought that the English policy was, that America was to be dealt with as best suited English interests, in making a peace with France and Spain. Hence, while he desired such haste to be made as might be, he did not by any means approve of any show of eagerness or complaisance on the part of the Americans. And his advice

¹ In adopting resolutions calling for unqualified independence.

to them was, in general, offered with this consideration in mind.¹

At the same time, Vergennes did not desire that the Americans should be too stiff in holding out for terms. In the first place, he did not desire that their obstinacy should endanger the whole negotiation, for he knew the necessity of peace: in the second place, the American demands were, in several instances, directly contrary to French policy. There is no difficulty in seeing that, as to several of the points considered cardinal by the Americans, Vergennes held ideas directly contrary to theirs, and sincerely hoped that their desires would not be granted.

Whether Vergennes at this time desired the acknowledgment of American independence, is a matter of doubt. Jay was sure he did not. When Jay pointed out to Vergennes that it would not be proper for America to treat until England had acknowledged her independence, Vergennes replied with arguments which Jay held to be singular and fallacious. It was the belief of Jay that Vergennes desired the acknowledgment to be postponed until France had made such use of America as she could. This view was also entertained by Fitzherbert, and is well expressed in a letter to him from Lord Grantham.

Grantham to Fitzherbert.

ST. JAMES, 3^d Sept. 1782.

— I should see with much greater concern the several instances of disingenuousness which the French Minister has betrayed in treating with you, if I did not at the same time mark the acuteness with which you do

¹ As, for instance, when he advised them to wait for the original of Oswald's commission, instead of proceeding with the copy.

not suffer them to escape you. Further examples of this will probably break out, chiefly on points which concern the interests of France singly. But if you discover any which particularly tend to affect the concerns of America, you will of course point them out to Mr. Oswald in order that a proper use may be made of them. Indeed I have reason to think that even the independency of America, however ultimately advantageous to France, would not, if accepted now by the Commiss^{rs}, be a measure agreeable to her, as the Bond between them would thereby be lessened before the conclusion of a Peace. It will therefore be highly material for you to watch the impression which such an offer proposed to them as amply as it can be will make 'on M. de Vergennes; and Mr. Oswald will undoubtedly endeavour to counteract the discouragement which that Minister may throw in the way of their accepting it. A discovery of their opinion of the French proposals at such a moment would be highly useful. . . .

Such has been the view of many at a later date; but, although there may be ground for suspicion, it cannot be said that there is any proof of the matter. On the other side was Franklin, who believed that the advice of the French minister was due "to the moderation of the minister and to his desire of removing every obstacle to speedy negotiations for peace." These reasons seem sufficient ground for Vergennes's advice; and, until more weighty evidence is brought to show what were his views in the case, Franklin's judgment in this matter will probably remain uncontroverted. Indeed, had independence been acknowledged now, the United States could hardly have made a separate peace with England, nor, had Vergennes desired only to make what

he could by the refusal, would he have utterly stopped his negotiation with Mr. Fitzherbert until the Americans were satisfied. On the other hand, Franklin's view that the desire of a quick negotiation was the directing agency, carries, with it, great probability. No one can read the history of the year 1782 in the English Parliament without seeing, first, that Lord Shelburne was the minister from whom America should expect most, and, secondly, that Lord Shelburne's hold on power was very weak. And as Parliament was to meet on the 26th of November (it was prorogued till Dec. 5), and the treaty ought to be finished before that date, there was surely reason for whatever haste could be made.

On other matters the French policy was utterly opposed to the American, and notably in the matter of the boundaries. There can be no doubt in this case. France would have been pleased had the United States, at the peace, been confined by the Alleghany Mountains. Nor was this wish singular. France, in aiding America, desired to weaken England, not to build up a strong power in the New World. And not only had she no desire for her own part that the United States should be strong, but her alliance with Spain tended to make it to her advantage that the Western country between the Alleghanies and the Mississippi should be divided between Spain and England. These views are notorious; and, from Vergennes's point of view, they were perfectly reasonable. Of course, to the commissioners, such opinions seemed unfriendly and inadmissible. Such indeed they were, but they were by no means surprising or treacherous.¹

¹ A clear understanding of this point will render clearer the proceedings in regard to the Canada paper which Franklin gave to Oswald.

The French position as regards the Newfoundland fisheries is made sufficiently evident in the famous Marbois letter and Vergennes's comment thereon.¹

Extract from the Translation of a Letter from M. de Marbois to M. de Vergennes.

PHILADELPHIA, 13 March, 1782.

. . . Mr. Saml. Adams is using all his endeavours to raise in the State of Massachusetts a strong opposition to Peace, if the Eastern States are not thereby admitted to the fisheries, and in particular to that of Newfoundland. S. Adams delights in trouble and difficulty, and prides himself on forming an opposition against the Government, whereof he is himself President: his aim and attention are to render the minority of consequence and at this very moment he is attacking the constitution of Massachusetts altho' it be in a great measure his own work but he had disliked it, since the people had shown their uniform attachment to it: it may be expected that with this disposition, no measure can meet the approval of Mr. S. Adams, and if the United States should agree relative to the fisheries, and be certain of partaking therein, all his manœuvres and intrigues would be directed towards the conquest of Canada and Nova Scotia, but he could not have used a fitter engine than the Fisheries for stirring up the passions of the Eastern

Any such proposition as that would be, of course, utterly opposed to the views of Vergennes. Franklin, therefore, had nothing to say to him on the matter, and conducted the whole business without his knowledge—a striking exception to his usual behavior.

¹ This letter was intercepted by the English, and by them translated and put into the hands of Jay, on whom it had a great effect. But, as letters were at that day sent in quadruplicate, it is probable that Vergennes also received a copy of the letter, at some time during the summer.

people. By renewing this question which had lain dormant during his two years absence from Boston, he has raised the expectation of the people of Massachusetts to an extraordinary pitch; the public prints hold forth the importance of the fisheries; the reigning toast is *May the United States ever maintain their right to the Fisheries*. It has been often repeated in the General Court; *No peace without the fisheries*. However clear the principle may be in this matter it would be needless and even dangerous to attempt informing the people thro' the public papers, but it appears to me possible to use means for preventing the consequences of success to Mr. S. Adams and his party, and I take the liberty of submitting them to your discernment and indulgence: one of these means would be for the King to cause it to be intimated to Congress or to the Ministers "His surprise that the Newfoundland Fisheries have been included in the additional instructions; that the United States set forth therein pretensions *without paying regard* to the King's rights and without considering the impossibility they are under of making conquests, and keeping what belongs to Great Britain." His Majesty might at the same time cause a promise to be given to Congress "of his assistance for procuring admission to the other fisheries, declaring however that he would not be answerable for the success and that he is bound to nothing as the Treaty makes no mention of that article." This Declaration being made before the Peace the hopes of the people could not be supported nor could it one day be said that we left them in the dark on this point. It were even to be wished that this declaration should be made whilst New York, Charlestown and Penobscot are in the enemies' hands. Our allies will be less tractable than ever upon these points

whenever they recover those important posts. There are some judicious persons to whom one may speak of giving up the Fisheries, and the [] of the West for the sake of Peace: but there are enthusiasts who fly out at this idea, and their numbers cannot fail increasing when, after the English are expelled this continent, the burthen of the war will scarcely be felt. Another means of preserving to France so important a branch of her commerce and navigation, is that proposed to you, sir, by Mr. — viz. the conquest of Cape Breton, it seems to me as it does to that minister the only sure means of continuing within bounds, when Peace is made, those swarms of smugglers who without regard to treaties, will turn their activity, daring spirit and means towards the Fisheries, whose undertakings Congress will not perhaps have the power or the will to repress. It is remarked by some that as England has other fisheries besides *Newfoundland*, she may perhaps endeavour that the Americans should partake in that of the Great Bank in order to conciliate their affection or procure them some compensation or create a subject of jealousy between them and us: but it does not seem likely that she will act so contrary to her true interest, and were she to do so, it will be for the better to have declared at an early period to the Americans that their pretension is not founded, *and that His Majesty does not mean to support it.* . . .

Vergennes's comment on these views is to be found in a letter to Luzerne, written Aug. 12. "It appears," he writes, "that Mr. Samuel Adams is endeavouring to stir up his countrymen in regard to the article relating to the fisheries. This conduct is as tactless as it is impolitic, and Mr. Adams would not have allowed himself

to proceed in this manner, had he reflected on what are the conditions on which peace is to be made; that in order to be in a position to demand part in the fisheries belonging to England they must either have conquered them or be able to purchase them by equivalents. Very certainly America is not now, nor will she probably ever be, in either of these positions."¹

It is only necessary to add, that, in the matter of granting compensation to the Loyalists, Vergennes, for obscure reasons, chose to interest himself by taking the position of another English envoy, as we shall see in the subsequent correspondence.²

With this slight sketch of the French policy, let us return to the American negotiation, and we shall have a clearer understanding of the position of the American negotiators.

¹ It is not necessary to point out that these views were not such as the American envoys would have subscribed to. Notably John Adams, who, a month or two later, on being informed by Fitzherbert that the expression "right" of fishing was an obnoxious one, rose up and said, "Gentlemen, is there, or can there be, a clearer right? . . . When God Almighty made the banks of Newfoundland, at three hundred leagues distance from the people of America, and at six hundred leagues distance from those of France and England, did he not give as good a right to the former as to the latter?"

² Compare here Jay's draft, *infra*, p. 201.

CHAPTER VIII.

THE TREATY IS SETTLED AND SIGNED.

ALL objections to the commission having been removed, the business began to move rapidly. In the early part of October, Oswald sent letters to Shelburne and Townshend, making answer to their despatches accompanying the commission, and reporting his progress.

Oswald to Shelburne.

PARIS, 3d Oct. 1782.

MY LORD,—I had the honor of your Lordship's letter of the 23rd Sept^r which I kept to myself, being assured that those I have to deal with would not allow that there has been too much done. And in which I own I cannot but agree with them, since fate has determined the necessity.

Had it been so, and that I saw things in that light from the beginning, any part whatsoever in the agency of the final determination would have been the last thing I should have chosen to be concerned in. And even under the impulse of that necessity, I should have hesitated with serious deliberation in proceeding in the business, if I had any apprehension of the consequences your Lordship is pleased to mention; as being in my opinion a loss of all we have to trust to, for being decently extricated out of our present unhappy embarrassment.

I might even venture to say that the Commissioners themselves, obstinate as they have been, would have strayed in some degree, rather than have exposed the nation to the hazard of a change.

And I must also do their friendship that justice as to repeat an advice which one of them said he wished to recommend, that two certain heads might be composed by some sort of ingraftment or other that would satisfy them, — meaning Messrs. F. and B. [Fox and Burke]. I have found so much good in this gentleman¹ that I cannot suppress this instance of his regard for England, although he never was there, and I hope I may venture to do so, without being myself liable to any charge of impertinent freedom.

I am with much respect and esteem
My Lord &c.

Oswald to Townshend.

PARIS, 2nd Oct. 1782.

SIR, — I had the honor of your letters of the 20th and the 24th of September, the last accompanying His Majesty's new commission altered as desired. Upon receipt, I produced it to the American Commissioners, and they were entirely satisfied therewith. I have also to advise that yesterday I delivered to them a copy of said Commission after its being compared with the original and certified by me; and in exchange received from them a copy of their Commission, which being in like manner compared with the original was certified by Mr. Jay one of the Commissioners. A duplicate of said copy you have enclosed.

Doctor Franklin being still but in an indifferent state

¹ He alludes to Jay.

of health, he could not come to town, and left this first part of the business to Mr. Jay. From any thing that passed on the occasion, I have no reason to think worse of the farther progress of it, than as mentioned in my last advices. In a few days I hope we shall agree upon the principal articles of which the Treaty is to consist. When that is done, I shall transmit the same so as to have your instructions thereon. We have as yet only talked of them in a loose way vizt.

1st. Independence.

2nd. Settling the lines of Separation or Boundaries between those of the thirteen States and the British Colonies.

3d. Giving up the additional lands of Canada.

4th. Freedom of fishing to the thirteen States for Fish and Whales.

These, I say, are all that have as yet been mentioned between Mr. Jay and me, whether any other will be proposed or insisted upon by them, I cannot say; but I hope not.

[The rest of the letter is taken up with Oswald and Jay's scheme of withdrawing the garrison of New York and sending it against Florida. The scheme came to nothing; and as the discussion of it is rather long, we omit it in the various letters in which it occurs. There is also a postscript.]

P.S. Since writing the above, I have had some farther conversation with Mr. Jay, about the conditions of the Treaty. I hope to get clear of the advisable articles, but as to some of those in my instructions I doubt I shall not succeed. For the present I only touched upon the following vizt.

Ungranted lands within the United States. He said all must go with the States.

Pardon to the Loyalists. The Congress cannot.

meddle in it. The States being sovereigns, and the parties in fault answerable to them, and them only. Besides he said it is his opinion, that many of them could not be protected by their governments, and therefore ought to depart with the troops.

Drying fish in Newfoundland, I find is to be claimed as a privilege in common, we being allowed the same on their shores: I did not think it proper to say much on this subject at present, and wish that granting this freedom may be found to be no material loss to England, being afraid if refused it may be a great loss in other things. Mr. Jay came again upon the subject of West Florida, and expects and insists for the common good, our own as well as theirs, that it may not be left in the hands of the Spaniards. And thinks we ought to prepare immediately for the expedition, to execute it this winter. At the same time he earnestly begs it may not be known that he advised it. And wishes I had mentioned it myself. As I approve of the thing, I thought the proposal should be strengthened by his opinion, and to speak the truth I could not suppress the credit due to him for attending to it.

I am to dine with Doctor Franklin to-morrow, when it is likely we shall talk farther of the conditions of the treaty, and I am in hopes that the next courier may carry a sketch of them. When agreed on they must remain without effect or operation until we have closed with France, so they positively say. I really believe the Commissioners are sorry they are so tied up, but they say there is no remedy.

After some little talking over the matter, it was agreed that the American commissioners should make a proposition as to terms, which Oswald should forward to

London. Jay presented the statement to Oswald on the 5th, of October; and Oswald immediately sent it to London, where it at once became the object of thought and discussion on the part of the Cabinet. No answer, however, was immediately returned; for the Cabinet had under discussion as well the propositions of France and Spain, which were of such a nature that there was little likelihood that England would accept them. This disposition to reject the French and Spanish demands was strengthened by the news of the raising the siege of Gibraltar, which arrived in London at about this time. At this it was resolved not to accept the French and Spanish propositions, and to endeavor to obtain better terms from the United States.

Lord Shelburne, as may have been noticed in many of the letters previously printed, was earnestly interested in obtaining some relief for the American Loyalists. Hardly a letter came from him to Oswald without some statement on the subject. It is easy enough to imagine the pressure that would have been put on a minister to force him to insist that some reparation be made them. Franklin, on the other hand, was most obstinate on the other side. The fact that his own son was one of the most prominent of the Loyalists, seemed only to increase his resentment. The subject of the Loyalists was never mentioned to him but that he at once stated that nothing could be done for them. But it is not improbable that Shelburne failed to estimate correctly the strength of Franklin's feelings; for he now sent word to Oswald that the American propositions could not be accepted without some provision for compensation for the Loyalists, and some stipulation in favor of British creditors of American merchants.

With these instructions, the Cabinet sent Henry

Strachey to Paris, an Under-Secretary in the Colonial Office, to aid Oswald in pressing the points relating to the Loyalists, the creditors, and the boundaries, — a question in which he was well informed. He was particularly instructed to press the claims of England to the lands between the Ohio, the Mississippi, and the Great Lakes, under the Proclamation of 1763, which had stated the bounds of Canada. Strachey was known as "a man of great discretion, accuracy, and learning."¹ John Adams thought him "as artful and insinuating a man as they could send," and also mentions him as being "keen and subtle, although not deeply versed in such things." (He was not really a great gain to the English in the negotiation, although he assisted Mr. Oswald by augmenting his arguments in every conceivable way. But Jay and Franklin were now re-enforced by John Adams, a most decided aid, who arrived in Paris on the 26th of October; and the three, being pretty well agreed as to terms, presented so determined a front, that the English envoys were not sanguine of success in making their demands, as may be seen from their letters.

Oswald to Shelburne.

PARIS, 29th Oct. 1782.

MY LORD, — Mr. Strachey arrived here yesterday at noon and delivered me the letter your Lordship did me the honor to write me of the 23rd for which I am much obliged to your Lordship. The objects therein mentioned are of great importance. And the alternatives proposed in your Lordship's note to Mr. Strachey are certainly very proper. Both he and I will do all we can to make the most of them. Last night we were

¹ Fitzmaurice, iii. 281.

employed on the maps and charters. This forenoon I introduced Mr. Strachey to Mr. Jay, when we run over the several exceptions to their plan of treaty, and were joined by Mr. Adams, who is come from Holland to take up his place in this commission. We then went out to Doctor Franklin's, where the same subjects, in the way of conversation, underwent another discussion. I cannot say with what success. Only that I think there is an appearance as that some things may be gained. To-morrow at eleven o'clock the three Commissioners have agreed to meet at my quarters, to examine maps and papers and thereafter all to dine together at Mr. Jay's. We are now, at night, again employed in that way, so as to be the better prepared for them, at least as well as can be done from materials of such indefinite construction.

Mr. Fitzherbert to whom I was under no difficulty in shewing your Lordship's letter, wants to send off this courier this night, so I have only time to express my satisfaction at Mr. Strachey's coming over, who seems to be zealously anxious in discharging his commission, and is no less capable of doing it to the best purpose. In which we have all the aid from Mr. Roberts his materials can furnish. I have the honor &c.

P.S. It seems to be agreed by all the Commissioners that the debts before the war should be paid, if the debtors are in circumstances.¹ And that the several provinces should be liable for such of them as their Assemblies have levied and taken into their Treasury.

¹ This was especially the view of Adams, who thought that any other course would be cheating those creditors, and who agreed with Oswald, on first seeing him, that the pre-revolutionary debts should be paid.



*Oswald to Townshend.*PARIS, 29th Oct^r 1782.

SIR, — I am to acknowledge the honor of your letter of the 23d by Mr. Strachey, as well as to thank you for the relief I hope to receive from him at so critical a time. We have been to-day with the three Commissioners, and are to meet with them all together at eleven o'clock to-morrow. Last night and at the present time we are employed in looking into the maps and papers.

Mr. Strachey being to write by this messenger, it is unnecessary for me to trouble you with particulars on this occasion. And have only to transmit the enclosed certificate of the delivery to Doctor Franklin of your order to Sir Guy Carleton respecting Captain Fage.

The Doctor returns you his compliments.

*Strachey to Townshend.*PARIS, 29th Oct^r. 1782.

SIR, — I arrived yesterday noon and passed the remainder of the day in discussing the several points with Oswald. This morning we saw Mr. Jay and also Mr. Adams (who came hither a few days ago from Holland) and afterwards went to Doctor Franklin at Passy. It is impossible from the general conversation, held with each of those gentlemen, to judge what will be the result; and hitherto I can only venture to say that it appears as if we shall be able to gain some ground. To-morrow morning we are all to meet and to go through the different topics together. My object will be to act fully up to your instructions in every particular; and to expedite the business without a

moment's delay. But I fear it will be several (I hope not many) days before matters come to a conclusion.

The reader will thus see, that, as soon as Strachey and Adams arrived, the conferences went on with renewed vigor. The question of boundaries was at once settled. Adams, having brought with him documents of importance in regard to the north-east boundary, took the lead here; and the St. Croix was accepted instead of the St. John, as desired by Franklin, or the Penobscot, as desired by the English. Adams was, like Franklin, firm for the fisheries. It was agreed, however, that the claim to dry fish on Newfoundland



J. ADAMS.

must be given up; and the Americans contented themselves with permission to dry on unsettled parts of Nova Scotia. As far as the English creditors were concerned, John Adams at once agreed that it was but just that no impediment should be laid to the collection of debts contracted before the war; and an article to that effect was drawn up. Upon the question of the Loyalists, as well, Adams would probably have given way rather than break off the treaty; and Jay in this agreed with him. But Franklin was determined that no recompense should be mentioned, and persuaded Adams and Jay to his point of view. He also took occasion in a letter to Townshend to hope that this matter would not be pressed by the English at the risk of giving up the treaty. With articles of this purport, Strachey returned to London.

Oswald to Townshend.

PARIS, 5th Novr. 1782.

SIR, — As this goes by Mr. Strachey, I beg leave to refer you to him for what has passed between the American Commissioners and us, since his arrival. I need only in general say, that on all the material points in question he has enforced our pretensions by every argument that reason, justice or humanity could suggest; and even sometimes to the point of almost exciting those insinuations of menace which I had been so long accustomed to, as reported by me on several occasions. And to which we had nothing to oppose of reservation on our part, but an alternative which we did not think advisable on the present occasion to offer directly to their consideration and option.

On these limits we are always obliged to stop; and at last to accept of such terms, as they would agree to, in the mean time, to be sent home and submitted to His Majesty's consideration. They are all thrown together in one paper which Mr. Strachey carries with him; to be afterwards arranged in more proper order, which there is no time for at present.

Mr. Strachey will inform you that at different times we tried the Commissioners on the subject of the evacuation of our garrisons. But always had for answer that a production of a signed treaty was sufficient for the settlement of such convention with General Washington, as would enable our General to withdraw the garrisons in a quiet and orderly manner, as well as our artillery and stores, &c. But farther than what might be produced by an exhibition of the treaty they could not undertake for, after the most serious deliberation on the subject, either by writing private letters to their General or other ways as I proposed.

Strachey to Townshend.

CALAIS, 8th NOV. 1782.

SIR, — Considering the anxiety of my mind and the fatigues I have gone through, having travelled 16 and 18 hours sometimes a day, in very bad roads and with miserable horses, you will not expect that I should have been perfectly clear in the despatch accompanying this. But I thought it necessary to send you some account of the business, and the messenger will certainly reach you several hours before I can. On my arrival here this morning I found that the wind had been adverse for seven days past, and that there were at least sixty English in one house waiting for a passage.

The Treaty must be written in London in a regular form, which we had not time to do at Paris; and several of the expressions being too loose should be tightened; for these Americans are the greatest quibblers I ever knew. The paragraph about the Indian lands in Georgia (a subject which I thought right to take up, though I had no particular instruction concerning it) seems to be too indecisive to be inserted at all in the Treaty. It was put in amongst the articles that you might have everything before you.

From an accurate attention to words which fell from Jay and Adams in the course of our conversations, I venture to tell you, that I am inclined to think, if you make the restitution or indemnification to the refugees, a sine qua non, the American Commissioners will accede, rather than break off the treaty upon such a point; more especially if a mode not too tedious could be devised of admitting exceptions of some few people, against whom they are particularly irritated. Mr. Oswald however is not of my opinion. The matter is

too serious, either way, to be hastily determined. You are in some degree relieved from the inundation of refugees that might have been expected from America; but still those at home will be a heavy load.

I am sorry that I have been able to do no more than I have done, but as my journey has not been quite fruitless I hope not to meet with your disapprobation. I must add that not a moment of time has been lost. We have been in conference from eleven o'clock every morning, tho' Franklin lives at Passy, and dined all together four times in order to pursue our business in the evening.

They are apparently jealous of the French, and I believe wish to conclude with England.

The sudden arrival of despatches from America prevented their answering Mr. Oswald's letter, and mine. I heard nothing of their news but that General Lee was dead, and that Laurens's son (a Colonel) had been killed in opposing a foraging party from Charlestown.

I am most truly, &c.

With this letter were sent certain observations on the article regarding the Newfoundland fishery.

"That the people of the United States shall continue to enjoy unmolested the right of fishing on the banks of Newfoundland in the manner they have hereunto used, without anchorage but by drift."

Observations respecting the Article of the Fishery.

Since Mr. Adams came here the Commissioners have taken more notice of the refusal of admitting their having the privilege of drying in Newfoundland than I expected, from what they told me, at settling the plan

of treaty which was sent to England. But at last after a great deal of conversation at different times on that subject, it was agreed to be left out, upon condition of their being allowed to dry upon any of the unsettled parts of the coast of Nova Scotia, when they happened to be so far from home as that their fish might run some risk of being spoilt before they reached their own shores.

Doctor Franklin said he believed it would be only on such occasions that they would use that privilege, and even then it would be only for a partial drying and salting, so as to prevent the fish spoiling before they went home and delivered them to their wives and children to complete and finish the drying.

He also said, I observe as to catching fish you mention only the Banks of Newfoundland. Why not all other places, and amongst others the Gulph of St. Lawrence? Are you afraid there is not fish enough, or that we should catch too many; at the same time that you know that we shall bring the greatest part of the money we get for that fish, to Great Britain to pay for your manufactures? He agreed it might be proper not to have a mixture of their people with ours for drying on Newfoundland, but supposed there would be no inconveniency in throwing ashore their fish for a few days, on an unsettled beach, bay or harbour, on the coast of Nova Scotia.

I am sorry that I should have given occasion to so much trouble on this head, by trusting to what was said by the Commissioners as not being so positive in the matter but what they would give up the point if objected to at home. And have now only to submit it to consideration whether it will not be proper to allow of drying in Nova Scotia, and also to let the clause

regarding the catching of fish be so expressed as not to appear as if we are afraid of the Americans extending that branch of commerce as far as they incline to pursue it. Since I really believe they will not like it, and that it will not be an easy matter to restrain them, if we should incline to do so.

The position in London at Strachey's arrival was alarming. The question as to the Loyalists seemed the most important part of the treaty. Shelburne himself was more desirous of a solution of this matter than of any other. It was with the utmost difficulty that he could manage his Cabinet. Richmond and Keppel desired to recall Oswald, whom they called "an additional American negotiator." The King, seeing the near approach of the much dreaded separation, could not think with equanimity of any part of the articles. The great question of the Loyalists lay in the way. It was decided¹ to remain firm as to the necessity of recompensing them, come what might. The article on the boundaries, brought over by Strachey, was agreed to, with the substitution of a line drawn through the great lakes to the Lake of the Woods for the northern boundary there laid down. Some "arbitrary restrictions" were added to the article on fisheries.

We have here the

Sense of the Cabinet.

15 Nov. 1782.

To send a copy of the Preliminaries as settled last night for the Americans to take or leave.

Private exceptions are always understood to be admissible.

¹ In spite of the efforts of Vaughan, who attempted to repeat his former triumph, undertaking another journey to London to persuade Shelburne to give up the Loyalists.

To send general instructions to Mr. Oswald referring him for every particular to Mr. Strachey.

To give Mr. Strachey private instructions relative to the last article stating the different classes of loyalists, and which of them are to be finally insisted upon and which only contended for.

These instructions not to be communicated, but to assist Mr. Strachey's memory, and to govern his own and Mr. Fitzherbert's judgement as to finally agreeing.

To order Mr. Oswald to sign whenever Mr. Fitzherbert, Mr. Strachey and himself agree in thinking it expedient.

Care must be taken to refer to Mr. Oswald's original instructions, that there may be no doubt as to his Powers.

To empower Mr. Fitzherbert to avail himself of France, so far as he may judge prudent from circumstances.

Mr. Fitzherbert's interposition will be useful, if it be for no other purpose than to let the Americans see the possibility of an appeal to France on our part.

Endorsed in Lord Shelburne's hand 15 Nov. 1782.
"Sense of the Cabinet." Approved by Mr. Townshend and Mr. Pitt.

Had the Cabinet held to their resolution, no treaty would have been made at this time. Fortunately, during Strachey's absence, Oswald hit on a means out of what was fast becoming a singularly delicate position, although at first his efforts did not meet the success which he desired. He outlines to Townshend, and also to Shelburne, what was practically the compromise adopted.

*Oswald to Townshend.*PARIS, 15th NOV. 1782.

SIR,—As Mr. Fitzherbert informs me he intends to dispatch to-night, I take the opportunity of referring to the letter which I had the honor of writing you on the 7th by the Courier Stayley, who set out on the 8th at three in the afternoon.

In that letter I made a full report of my last conversation with the American Commissioners as near to their own words as I could recollect them, which I thought it my duty to do, however unpleasant they might appear to be. They principally turned on the question regarding the Refugees and Loyalists, both as to restitution and compensation.

Since that time I had not seen any of those gentlemen, until this morning; when I called on Mr. Jay and Mr. Adams separately and sat with them a considerable time; trying to persuade them to take that matter again into consideration. But to no purpose. I had the same answers as I have always had, from each of them on that subject, from the beginning of my correspondence with them, vizt. that it should never be said that they had agreed to any measures for the gratification of those who had been so instrumental in encouraging this war; and had so cruelly assisted in the prosecution of it; with many other reflections, relative to their opinion of their principles, motives and conduct as unpleasant as unnecessary to be here repeated. Adding as they always have done that if peace with G. Britain was not to be had on any other terms, than their agreeing to those provisions, the war must go on, although it should last seven years to come; and that neither they nor their Congress had any power in this matter, notwith-

standing, what to do for the personal safety, and the effects of those Loyalists remaining with the garrison of New York; and upon the whole, that things of the consequence proposed rested entirely with the states. At the same time those two Commissioners owned that they were extremely desirous of peace, and that the Treaty sent over may be agreed to. But if refused they must wait, they said, for new instructions from their Congress. That upon this report of such refusal to that assembly, they would refer the question in dispute to the states. It might take six months severally to have them assembled; and perhaps six months or longer to have instructions on their resolutions, from the Congress, before which time as the several provinces will have made some progress in the liquidation of the unnecessary destruction of private property, they might expect to receive positive orders to insist on reparation thereof in their next instructions.

Both those gentlemen told me to say, that this Court had thought fit to take up the question regarding the Loyalists, and became advocates for them; and Mr. Adams said that he had been sent for last week to Versailles, and that Monsr. de Vergennes had talkt to him strongly in their favor; but that he paid no regard to his opinion or recommendation on the subject; and could guess at his motive for interfering as intended to prevent a speedy agreement with Great Britain, so as in the interim they might bring forward their own Treaty, and those of their allies, to a more favorable conclusion. The other gentleman took notice also of the circumstance and gave the same account of his opinion of the object of it. How far they are right I don't pretend to say.

I at last proposed to those gentlemen that since they

would not positively undertake for a restitution or compensation to the refugees or loyalists, that they would add a clause to the treaty, of recommendation to Congress in their favor in general, leaving it to them to discriminate according to circumstances, or that they, the Congress, should upon such recommendation make one general sweep of acquittance, reserving the right of certain exceptions to themselves. This expedient was proposed on account of a few particular names which I had been often accustomed to hear at making applications on the subject. But all to no purpose. At the same time those gentlemen owned they had an esteem and goodwill towards many of those parties, and would be glad to serve them as circumstances offered. But in either of those ways they would be of no use to them.

I then talked of the evacuation of New York. Mr. Adams admitted that without a due precaution, there might be some cross accident in accomplishing it. However he thought General Washington could have no objection to receiving a surrendry of the place by capitulation; to which their treaty with France could not furnish any objection; since by that treaty, each nation was at liberty to prosecute the war in their own way. And so their general could do in that matter as he thought fit, and without consulting the General of the French troops who was under his command.

Mr. Adams said that by last letters, they had now a well disciplined army of near 20 thousand men, including the French, who were about 4000, partly with General Washington, the rest in different places.

He also said, and so did Mr. Jay, that their last advices from the Congress complained of our mode of evacuating the garrison of Savannah, as if we had car-

ried off in the way of booty, (they used that word) a number of negroes to be sold in the West Indies. I said it must have been negroes belonging to loyalists who had retired with the troops. And I was persuaded the Congress was misinformed. I hoped it would prove so.

However, it would appear that these reports have so far gained ground amongst those people, that they are alarmed in Carolina, being apprehensive of something of that kind at the evacuation of Charlestown, which although surely without just reason, yet it is certain by letters from Carolina just now received at Paris, the people there are apprehensive about some part of this kind of property, which happens to be in the hands of our garrison. However unjust those imputations may be, they come to me in such a way which does not admit of my suppressing them.

If New York is evacuated by capitulation, every pretence to charges of this malicious kind will of course be prevented.

I have the honor to be, Sir, &c.

But Shelburne seems to have paid little attention to these views; and Strachey was sent back to Paris on the 24th, bearing with him instructions to Oswald from Townshend and a letter from Shelburne.

Townshend to Oswald.

[Most secret and confidential.]

WHITEHALL, 19 Nov^r. 1782.

SIR, — The good correspondence which subsisted between you and Mr. Strachey, when he was lately at Paris, and the great advantage likely to be derived in the present Negotiation from your communication with

a person who has so lately conversed with most of the King's Ministers upon that subject, determined me to send him over to you again, as he is in possession of the sentiments of the whole Cabinet. By him we send such a Treaty as we can sign. You will find in it a full satisfaction given to the Americans in the principal points of the Controversy, and what any impartial man must imagine the only ones worth their dispute.

These consist of the Independence in the first place, the Boundaries, the Surrender of New York and Charles Town with all the Artillery in them that shall have been taken in the War from the Americans.

The Alterations we have made in their project are such as I am sure they must find upon reflexion what they may assent to consistently with what they have agreed to already, and as are indispensably necessary to the honor and interest of this Country.

I must therefore assure you that it is the unanimous resolution of the Cabinet to adhere to the Treaty now proposed, and I do not choose to prognosticate the danger of the effects of the Refusal of the Commiss^{rs} or on that Spirit of Conciliation which has now for some time prevailed in this Country, if it prevents the Treaty being signed before the meeting of Parliament.

As Mr. Strachey is, as I said before, fully acquainted with the opinion of the King's Servants upon this head, I shall refer you to him for all further particulars and arguments.

You are by the 6th Article of your Instructions directed not to proceed to the Signature of any Act whatever with the Commiss^{rs} of the Colonies, without having received the King's special order for that purpose. I am therefore to signify to you that it is His Majesty's Pleasure that in the present state of this business with

regard to every Article of the Treaty and any possible alteration or modification, which may yet be wished by the Amerⁿ Commiss^{rs} you should consult most confidentially with Mr. Strachey and Mr. Fitz Herbert. The recent personal intercourse of the former with His Majesty's ministers has put him in full possession of their sentiments, and the minute acquaintance of the latter with the state of the Foreign Negotiations will render his assistance of the greatest advantage to you. Mr. Fitz Herbert has from the beginning been instructed to communicate with you on every point in which the two Treaties may affect each other. He has now particular Instructions to furnish you with every assistance towards the success of your Negotiation, which may be drawn from the present disposition of the Court of France to conclude a general Peace. And if either the Amerⁿ Commiss^{rs} should, as there is great reason to expect, agree to the Articles of the Treaty in the shape they are now transmitted from hence, or if you and Mr. Fitz Herbert and Mr. Strachey should on your joint consideration be of opinion that such alterations or modifications as they may propose are admissible, I am to signify to you the King's special commands, that you should in that case forthwith sign the articles so agreed upon between you and the Amerⁿ Commiss^{rs} without waiting for any further Instructions or Directions from hence.

In a matter however of this extreme delicacy and importance, I cannot omit recommending to you for the same reasons which I have already stated to you, that you should have the precaution previous to your signing to receive from Mr. Strachey and Mr. Fitz Herbert their opinions under their hands signifying their concurrence in the measure.

I am &c.

Shelburne to Oswald.

SHELburnE HOUSE, 23 Nov. 1782.

DEAR SIR, — I flatter myself that the American Commissioners will consider the step we have taken in regard to Parliament, the City &c. in its due light.

In regard to the Fishery we wish nothing but to keep distinctly to the principle so much dwelt upon by Dr. Franklin in the commencement of the negotiation, vizt. the necessity of laying the foundation of permanent Peace; and that no occasion, much less temptation, be left for future dissension. I need not tell you that the bickerings of fishermen, if not guarded against, may easily revive all that honest men of both sides are endeavouring to bury.

The same principle extends to the Refugees. It is no idea of interest actuates us in regard to them; 'tis a higher principle. This country is not reduced to terms of humiliation, and certainly will not suffer them from America.

If Ministers through timidity or indolence could be induced to give way, I am persuaded the nation would rise to do itself justice, and to recover its wounded honor. If the Commissioners reflect a moment with that coolness which ought to accompany their employment, I cannot conceive they will think it the interest of America to leave any root of animosity behind, much less to lodge it with posterity in the heart of the Treaty.

'Tis a very inferior consideration, and what you will do me the justice to acknowledge that I have never leant to what affects the ministers of the day. Our uniform conduct ought to speak for itself, and it must lie with the Americans what return they chuse to make.

If the American Commissioners think that they will gain by the whole coming before Parliament, I do not imagine the Refugees will have any objections.

I am &c.

The first meeting of the negotiators, after the arrival of Strachey, must have been awaited with the most intense interest. It took place at Oswald's lodgings on Nov. 25. Strachey explained the British position in regard to the fisheries and the Loyalists; asserting that the proposition to compensate the Loyalists must be agreed to, or the treaty would break off. After some discussion, Jay asked if Oswald had power to sign. Strachey replied that he had. Jay further asked if these propositions were an ultimatum. Strachey reluctantly replied that they were not, and the discussion terminated for a time. The three commissioners breakfasted at Jay's the next morning, and agreed that they would stand firm against the Loyalists. Two days more were spent in discussing the question, fruitlessly, with the English. Oswald now communicated to Strachey and Fitzherbert the proposition expressed in his letter to Shelburne of the 15th, to the effect that it should be *recommended* to Congress that restitution be made. It was agreed that the matter should be again proposed to the Americans.

This broke the dead-lock. The Americans agreed that Congress should recommend to the States that amnesty and restitution be made. They were now ready to sign, except as regarded the arbitrary limits assigned to the fisheries. Oswald said that he himself would be willing to yield, but that his instructions were very particular. A compromise was adopted, and both parties were on the whole satisfied with the arti-

cles. Franklin and Oswald were both anxious to sign at once. Strachey and Fitzherbert at first thought it would be necessary to wait for further instructions; but the sending to London would have delayed matters beyond the opening of Parliament,¹ and the English envoys decided to sign immediately. Strachey at once returned to London with the articles.

Strachey to Townshend.

PARIS, 29 Nov. 1782.
Eleven at night.

SIR, — A very few hours ago we thought it impossible that any treaty could be made. We have at last however, brought matters so near to a conclusion that we have agreed upon Articles, and are to meet tomorrow for the purpose of signing. Enclosed are such of the Articles as are altered, and an additional one which we mean as a security in case it be true that Bermuda is taken.

The Article of the Fishery has been difficult to settle, as we thought the instructions were rather limited. It is however beyond a doubt, that there could have been no Treaty at all, if we had not adopted the Article as it now stands. Mr. Fitzherbert was satisfied that it would not interfere with the French negotiation, and we all three concurred in opinion, that this Article and all the others, as in the enclosed paper, should be concluded upon.

The 4th Article, which was intended for the security of creditors before the war, is now extended to all creditors.

The 5th Article, regarding the Refugees, is different from any of the modifications which you left to our

¹ On the 5th of December.

choice. But we think it will meet with your approbation in several respects, especially as it is not attended with any secret article of exceptions. The words, Rights and Properties, are added to the word Estates, agreeable to your wish; and the supplemental Article, relating to Debts, and Marriage Settlements (with the addition of *or otherwise*) is also inserted.

The 6th Article of general Amnesty, after much debate, and all agreeing that our meanings were the same, was altered, in words, but remains in substance as before.

We attempted to have the 9th Article in more explicit terms, but could not contend farther than as it now stands, without raising a suspicion of what was really meant, and it was evident that the American Commissioners had yet received no advices concerning Bermuda.

That the Treaty may be safe transmitted to America, it is proposed that you should send to Mr. Oswald a pass for the American Packet the Washington, Capt. Barney, and that the Commissioners here should furnish you with an American pass for one of our Packets.

As soon as the Treaty is signed tomorrow, Mr. Oswald will despatch a messenger with it, and I shall follow as expeditiously as my indifferent state of health will permit.

I have the honor to be Sir &c.

Oswald to Townshend.

PARIS, 30th Novr. 1782.

SIR, — I take this opportunity of Mr. Strachey to acknowledge the honor of your letter of the 22nd and 23rd [19th and 22nd] instant and to advise that we have at last come to an agreement with the American Commissioners as to the terms of the Treaty. They are not

exactly what were proposed by the draft which Mr. Strachey brought over with him, but are the best we could possibly obtain of them.

If we had not given way in the article of the fishery, we should have had no treaty at all. Mr. Adams having declared that he would never put his hand to any treaty, if the restraints regarding the 3 leagues and 15 leagues were not dispensed with, as well as that denying his countrymen the privilege of drying fish on the unsettled parts of Nova Scotia.

Mr. Fitzherbert and Mr. Strachey finding that there being a discretionary power in Mr. Strachey's instructions, regarding the whole of this article, as well in extent as manner, they thought it advisable to avail themselves of it rather than to send again to London on this critical occasion, for farther instructions, which although in the most certain prospect of obtaining assent to such dispensation might have been of bad consequence, not only in the loss of so much time, but in leaving the Commissioners in such humor, as in the interim, to have suggested some new demands under the head of one or more of the other articles, which might have been of worse consequence than that of giving up these restraints of fishery. One specimen of which we had, yesterday, when one of those gentlemen,¹ pulling a paper out of his pocket, proposed that His Majesty should recommend to his Parliament, to make provision for the payment of certain effects which had been seized by order of his generals and entirely out of the consequences of military irregularities, and such as they could bring undoubted proofs of, and which he said ought to be paid upon the same principles of justice, as was urged in favour of the recovery of debts. On

¹ Franklin.

these and other accounts, and being in a manner certain that without an indulgence in this article of fishery, there would have been no Treaty with America, the above mentioned gentlemen thought it best to close with the commissioners by admitting this article in the way they proposed. In which they not only had my concurrence, but I own I used the freedom to encourage and press them to give their consent; being of opinion that I would be under no difficulty in shewing that the grant was not of that importance as to be put in comparison with the consequences of splitting with America at this time. Among other things it occurred to me that if our caution in this particular regarded our marine, and an apprehension of its being abridged by this interference of the Americans to a greater extent in this trade, we might come to suffer much more by what the commissioners insinuated and indeed threatened in case of a refusal, which was to pass an act of navigation, by which, after a certain time, all the Ports of America should be shut against English ships in so far as the exportation of their produce should be concerned. And in the other view of the profits of the fishing trade, and our being deprived of such part of it as the Americans would gain by this admission, I was of opinion that in leaving the fishing ports in the west of England, I would not have far to go inland, to be satisfied that the loss by continuing the dispute some time longer with the Americans, or even laying the foundation of a national grudge, would, ten times over, counterbalance the amount of the said losses; even supposing that the conditions of those restraints could be enforced by keeping the Americans to their proper distances; which I am of opinion would be difficult if not doubtful. Or if attempted by our men-of-war on that station, might

be the means of bringing on quarrels of states, instead of being useful in preventing quarrels of fishermen, as one of the motives persisted on in justification of this refusal.

Sometime after our giving up this article one of those gentlemen came over to our lodging, and told us that if in this particular we had made any stretch beyond the limits of our instructions, they would in return do the same by theirs; and instead of confining the payment of debts to what preceded the year 1775, they would make all recoverable since that period.

I have not to trouble you farther on the subject, as Mr. Strachey can so well inform you of every particular of the progress of it. I will only beg leave in so far as I was personally concerned to express my acknowledgment, and the sincere satisfaction I felt upon his second appointment to that charge, which could not fail in relieving my mind of the anxious concern I must have naturally experienced upon the occasion. I had also the additional pleasure to promise upon the public receiving every benefit in the conclusion of the business which could be expected from his ability and indefatigable attention and assiduity, as to which any farther information on my part would be illplaced and unnecessary.¹ So that I have only to subscribe myself, — Sir &c.

P.S. Mr. Strachey tells me he has wrote about the pass wanted for the Commissioners' packet bound to Philadelphia and ready to sail named the Genl Washington Captain Barney. I hope it will not be delayed.

¹ The passage is obscure, but seems to mean that Oswald would testify to Strachey's merits before the public, — probably before Parliament.

CHAPTER IX.

THE PRELIMINARY ARTICLES.

ON the 29th of November, Franklin communicated to Vergennes the fact that the commissioners of the United States had agreed with Mr. Oswald on the preliminary articles of peace. This was the first official information which Vergennes had received in regard to the progress of the negotiation, since the end of October, at which time Franklin had agreed with Jay and Adams that it would be best not to communicate any thing more in regard to the progress of business to the French Court.

Vergennes was not pleased at this. He did not answer the letter for some time.¹ When he did answer it, he said, "I am at a loss, Sir, to explain your conduct and that of your colleagues on this occasion. You have concluded your preliminary articles without any communication between us, although the instructions from Congress prescribe that nothing shall be done without the participation of the King. . . . You are wise and discreet, Sir; you perfectly understand what is due to propriety; you have all your life performed your duties. I pray you to consider how you propose to fulfil those which are due to the King?" Here Vergennes was quite right. The American envoys had been bidden to

¹ That is to say, we have not seen any letter from him to Franklin before that of Dec. 15.

do nothing without the advice of the King. They had now completed a peace (for the preliminary articles were looked upon as practically the same as if definitive) wholly without his knowledge, and, as far as they knew, one with which he would not be well pleased.

Vergennes expressed his feelings in his next despatch to Luzerne :—

VERSAILLES, 19th Dec. 1782.

I have the honor, Sir, to send you the translation of the preliminary articles which the American plenipotentiaries have agreed upon and signed with those of Great Britain to be reduced into the form of a treaty, when terms of peace shall be agreed upon between France and England.

You will most certainly, Sir, applaud the very extended advantages which our allies, the Americans, are to receive by the peace ; but you will, without doubt, be no less surprized than I was, at the conduct of the deputies. According to the injunctions of Congress, they should have done nothing without our participation. I have pointed out to you, Sir, that the King would not have sought to interest himself in the negotiations, save in so far as his offices might be necessary to his friends. The American Commissioners will not say that I have sought to intervene in their business, still less that I have wearied them by my curiosity. They have kept themselves carefully out of my way. Mr. Adams, one of them, having come from Holland, where he has been received and assisted by our ambassador, was really three weeks in Paris, without imagining that he owed me any marks of civility, and probably I should not have seen him yet, had I not called his attention to it. When I happened to meet with either

of them, and to inquire, in regard to the progress of the negotiation, they remained constantly reserved in generalities, desiring to make me understand that it made no progress and that they had no confidence in the English Ministry.

Judge, Sir, what was my surprize when on the 30th of November, Mr. Franklin acquainted me that the articles had been signed. The reserve which they insert with regard to us does not keep them from having broken the agreement which we made not to sign except conjointly. I must do Mr. Franklin the justice to say that the next day he sent me a copy of these same articles. He will probably not complain that I received them without demonstrations of sensibility. It was but a few days afterward, that this Minister, having called upon me, I promised myself to make him appreciate the fact that his proceeding in hurrying the signature had not been particularly civil to the King. This he appeared sensible of, and excused him in regard to it as best he could, both for himself and his colleagues. Our conversation passed in an amicable tone.

When Vergennes wrote this letter, Franklin had already sent the apologetic note which the occasion rendered necessary. He pointed out that nothing had been agreed upon, contrary to the interests of France, but readily confessed, that, in not consulting Vergennes before signing, the American envoys were "guilty of neglecting a point of *bienséance*." For this he presented all the excuses that occurred to him.

The matter went no farther. France was not seriously irritated; and this was most fortunate, for the United States was at this moment applying for another grant of money. To apologize successfully for un-

friendly conduct, and to obtain a further advance of supplies, were two difficult things to do. And to Franklin, naturally, it fell to perform both these feats. He had long been used to borrowing money of France; and his acquaintance with Vergennes, and the almost affectionate esteem had for him by that minister, rendered him the one of the commissioners to whom the others looked to draw them from the scrape in which they had insisted on falling. Franklin had not desired to proceed without the knowledge of France. He had been overruled; and, now that difficulties arose, he was the only one who could meet them.

How far the American commissioners were to blame, is a question which has been frequently discussed. There is no doubt that they departed from their instructions. This they conceived absolutely necessary. It does not, however, appear necessary to point out that in their behavior was not involved bad faith toward France. At no time did Vergennes remonstrate with them, although he was, of course, perfectly aware of their proceedings. Indeed, although he deplored this behavior on their part, he was not in the mind to make a serious matter of it. On the 14th of October he wrote to Luzerne, "Messrs. Jay and Franklin hold the most absolute reserve, as far as I am concerned. They have not even sent me a copy of the full power of Mr. Oswald (which had arrived a fortnight before). I believe that it will be well for you to mention this proceeding to Mr. Livingston, so that he may be able, if he judges it best, to recall the two Envoys to the tenor of their instructions. But you will take the greatest care not to present it as a complaint, and you will request Mr. Livingston not to send any reprimand to Messrs. Franklin and Jay."

Except for the instructions of Congress, there was no reason why any thing more should be cared for than that the treaty with America should be signed at the same time as that with France. Such had been the understanding throughout. Vergennes remarked as much in writing to Luzerne on the 9th of April, when he said that each power should treat separately, "on condition that the two negotiations shall proceed with equal step, and the two treaties shall be signed at the same time, and shall not be valid, either without the other." Franklin also seems to have been of this opinion early in the business. At any rate, he took no steps to inform Vergennes of his proceedings in regard to Canada.

As the negotiation proceeded, Vergennes showed a disposition to go farther than was necessary. When the Americans would not go on with Oswald's commission, he pointed out to Fitzherbert that the negotiations between them would have to stop until the Americans were satisfied. This statement Fitzherbert attributed to a desire on the part of France and Spain to continue the war, in the hope that the operations against Gibraltar might turn out successfully. But there is not enough evidence to prove this assumption, though the suspicion was doubtless warranted.

In America, though all were well pleased with the treaty, men were not agreed as to the way in which it had been brought about. Complaints came to the ears of the commissioners, as to their behavior in regard to France. Jay desired to reply to all this in a letter to Livingston, and drew up the following:—

Commencement of the Letter to Mr. Livingston, as first drawn up by Mr. Jay, but concluded to be left out.

SIR, — We have had the honor of receiving by Capt. Barney your two letters of the 25th March and 21st April last past, with the papers referred to in them.

We are very happy to find that the provisional articles have been approved of and ratified by Congress; and we regret that the manner in which the business was conducted does not coincide with your ideas of propriety.

Your doubts on that head appear to have arisen from the following circumstances.

1. That we entertained and were influenced by distrusts and suspicions, which do not seem to you to have been well founded.

2. That we signed the articles without previously communicating them to this Court.

3. That we consented to a separate article which you consider as not being very important in itself, and as offensive to Spain.

4. That we kept and still keep that article a secret, i.e., with respect to the first.

Your doubts appear to us somewhat singular. In our negotiation with the British Commissioner, it was essential to insist, and, if possible, to obtain, his consent to four important concessions.

1. That Britain should treat with us as being what we were, viz., an independent people.

The French Minister thought this demand premature, and that it ought to arise from, and not precede, the treaty.

2. That Britain should agree to the extent of boundary we claimed.

The French Minister thought this demand extravagant in itself, and as militating against certain views of Spain which he was disposed to favor.

3. That Britain should admit our right in common to the fishery.

The French Minister thought this demand to be excessive.

4. That Britain should not insist on our reinstating the Tories.

The French Minister agreed that they ought to be reinstated.

Was it unnatural for us to conclude, from these facts, that the French Minister was opposed to our succeeding on these four great points in the extent we wished? To us it appeared evident that his plan of a treaty for us was far from being such a one as America would have preferred; and as we disapproved of his model we thought to give him no opportunity of moulding our treaty with it.

This is the chief part of the draft, and well expresses the commissioners' position. It was not sent, however, as we see by the following:—

Mr. Franklin's Observations on Mr. Jay's First Draft of a Letter to Mr. Livingston, which occasioned the Foregoing Part to be left out.

Mr. F. submits it to the consideration of Mr. Jay whether it may not be advisable to forbear at present the justification of ourselves respecting the signing of the preliminaries, because

The matter is at present quiet.

No letter sent to Congress is kept secret.

The justification contains some charges of unfavor-

able disposition in the ministers here towards us, that will give offence, and will be [criticised].

Our situation is still critical with regard to the two nations and the most perfect understanding should be maintained with this.

The Congress do not call upon us for an account of our conduct or its justification. They have not by any resolution blamed us. What censure we have received is only the private opinion of Mr. Livingston.

Mr. Laurens is not here, who is concerned with us.

Will it be attended with any inconvenience, if that point of the letter which relates to the signatures be reserved to a future occasion?

Discussion on the matter still continued in America. There were not a few who emphatically blamed the ministers for having involved their country in an act of treachery toward one for whom they should have had the very highest respect. Others contended that France had undoubtedly been very hostile to America, and that Franklin, corrupted and won over by the flattery and attention of his long stay abroad, had so far forgotten himself as to hold rather with France than with America. We print in illustration a part of a letter from Dr. Cooper to Franklin, dated at Boston, of the 5th of May, 1783.

“There is a Party among us, disposed to avail themselves of every Incident, and of all personal Resentments to weaken and divide our public councils and injure the Alliance. Regard to the general Good, as well as Private, and the most constant Friendship, oblige me to state Things as they are. It is, then, confidently whispered among us that Letters have been

received from Paris, both in this State and in Philadelphia, which mention, that the Court of France was at Bottom against our obtaining the Fishery and Territory in that great Extent in which both are secured to us by the Treaty. That our Minister at that Court favoured, or did not oppose, this Design against us; and that it was entirely owing to the Firmness, Sagacity, and Disinterestedness of Mr. Adams, with whom Mr. Jay united, that we have obtained those important advantages. I have not seen any of these Letters, and am considered, I suppose, as too much attach'd to the Alliance with France, and that American Minister who so happily negotiated it, to be trusted with such a Communication: they are said, however, to come from some of our Plenipotentiaries at Paris, and particularly from Mr. Adams, a Gentleman against whom I never was prejudiced, having had a long Friendship and Respect for him. It is certain some of his particular friends have believed and propagated these Reports, as they say, upon the best Authority. It has also been said from the same Quarter that the Court of France secretly traversed Mr. A.'s views in Holland, for obtaining of the United Provinces an acknowledgement of our Independence; and that the same Part had been acted in Spain and Prussia. All these Things are incredible to me, and tho' they make some Impression at present, Truth is great and will prevail. Care I hope will be taken, both at Congress and in Europe, as far as public Prudence will permit, to state as soon as may be these Matters in a just Light, and to prevent the public Mischiefs, as well as private Injuries that may arise from Misrepresentations in Matters of such Moment. For myself, I stand and speak and act upon my old Ground, our Independence supported and defended by the

Friendship of France; and they who take the fairest and most effectual Measures to cultivate this Friendship are most my Friends as being friendly to my Country. If through Ingratitude, Folly, Personal Pique or Treachery, we lose so generous, so powerful, so faithful, and, in our present Situation, so natural a Friend as the King of France, we fall, and deservedly, into Contempt and Ruin. But I am persuaded there is good Sense and Virtue enough in the Government and People of America to prevent so shameful a Fall.

“Mr. Adams wrote to Congress on Dec. 3, resigning his Employments in Europe; but has intimated in a subsequent Letter his readiness to continue there, should he be appointed Minister to the Court of London: Congress has not fill’d that Department that we have heard.”

This seems to open a question which perhaps ought to be here touched upon. That is, To whom does America owe the blessings gained by the treaty of 1783? Adams and Jay have not wanted vigorous descendants, who would claim for each of them the lion’s share of the praise. Franklin, lacking such defenders, has found a worthy substitute in his biographer, Dr. Sparks, and in the great historian of his country. No one can read the narrative of the negotiations in Bancroft’s History, and read also the documents upon which it is founded, without feeling, that, from the large and broad point of view, the conduct of Franklin was beyond all praise, and that to him, almost alone, is due whatever of good there is in the treaty of peace.

To us the question is not an agreeable one. It seems hardly proper, that, after the expiration of a hundred years, we should review the proceedings, and say here or there belongs the credit for this or that. Adams,

Franklin, and Jay were, all three, great men, though of widely differing characteristics. To each one we owe a very great debt, of which no small part is due for the share in this treaty of peace. Indeed, each was indispensable. The treaty itself is due to Franklin; but it is due to Jay that the Mississippi and the boundaries were settled so favorably for us, and to Adams that the fisheries were allowed to America. Had it not been for Adams and Jay, we might have had a treaty much less favorable in its conditions. Had it not been for Franklin, it is hard to see how we should at that time have had any treaty at all.

To whomsoever the credit for the treaty is due, it was a treaty very favorable at first sight to the Americans. In the first place, all the points which the commissioners had agreed to demand had been conceded. The Independence of the United States had been acknowledged. To the United States had been given all the territory, especially that west of the Alleghanies, to which she had any just pretence. The United States had been granted participation in the fisheries according to ancient custom. No restitution or indemnity had been expressly made to the Loyalists; and all Americans knew that the recommendation of Congress stipulated for, amounted to nothing at all.

At the same time, perhaps, the treaty might have been drawn up so as to have been more favorable to the United States and to Great Britain as well. As a matter of fact, the settlement was not complete, for questions at once arose which demanded adjudication. Another treaty, made eleven years afterward, did not settle affairs wholly; and it was not till after thirty-one years that the two countries, having found it necessary to resort again to arms, settled some of these difficulties conclu-

sively. Even then, certain points were left without being brought to complete conclusion.

The chief matter causing trouble was in regard to the remuneration of the Loyalists. This point had been one on which both English and Americans had felt deeply. The treaty stipulation on the subject had been a compromise, and, like some other compromises, had not been efficacious. Article V. reads, "It is agreed that the Congress shall earnestly recommend it to the legislatures of the several States to provide for the restitution of all estates, rights, and properties, which have been confiscated, belonging to real British subjects." Now, these recommendations of Congress had no manner of effect, nor had it been seriously thought, by Americans at least, that they would have. Therefore, no restitutions were made, and the Loyalists were not satisfied. Again, in the matter of collection of debts due by Americans to English creditors, it had been agreed in the treaty "that creditors on either side shall meet with no lawful impediment to the recovery of the full values in sterling money of all *bona fide* debts heretofore contracted." Such was the treaty stipulation. But it happened that sundry of the several States had created lawful impediments to such recoveries by English creditors. And, as Congress had not power to abolish these impediments, the English subsequently claimed, and justly, that the treaty was not carried out. They therefore refused to evacuate all the posts held by their army in the North and West, according to Article VII. of the treaty. These questions, with others of a commercial nature, which arose at once, afforded matter for settlement, and resulted in Jay's treaty.

The other matters were longer in finding complete determination.

CHAPTER X.

OTHER CORRESPONDENCE.

THE dramatic and pathetic incident, which called on every one's sympathy for Capt. Henry Asgill, this summer, was brought, of course, to Franklin's attention. His relation to it, though he did not at the time know it, was even closer than Washington's. Asgill was but a boy of nineteen; but he was a captain in the Guards, was serving in America, and had been taken prisoner by the Americans. The Refugees, called "Loyalists," had committed in the Jerseys one of those disgraceful murders which so discredited them and the English cause; and the act had been traced back to a certain Capt. Lippincott. It was to the last degree atrocious. The murdered man was named Huddy. He was a prisoner-of-war; he was taken from his cell and hanged, without being charged with any crime, in revenge for the death of another man, who had been killed in escaping from jail. Lippincott had hanged Huddy with a label fastened to his body, "Up goes Huddy for Philip White."

This sort of outrage had been so frequent, that Washington now sent to Clinton a statement of the facts, and demanded that he should give up Lippincott "or the officer who commanded the execution." "To do this will mark the justice of your Exeellency's character. In failure of it, I shall hold myself justified, in the eyes of God and man, for the measure to which I will resort."

But Clinton refused; and, before the matter ended, he left for England. Congress took action regarding so gross a cruelty, and notified Washington that they would support him in his fixed purpose of exemplary retaliation.

When, therefore, Clinton refused to give up the murderer, Washington directed that lots should be drawn by the English captains who were prisoners at Lancaster, Penn., to determine which of them should take the punishment which, as Clinton knew, he had threatened, in retaliation for the murder. The lot fell on Asgill. He was son of Sir Charles Asgill, a rich English baronet.

So soon as news of his imprisonment reached England, his father and his mother used every method to obtain his release. They addressed memorials to their own government and to Vergennes. The English Government instructed Oswald to appeal to Franklin. He had been already addressed by Vergennes on the same subject, and probably by many other persons. As early as the 28th of July he addressed the English Government, in a letter to Oswald, who was already their commissioner for peace, and gave a summary answer to their requests, in his most vigorous style. He said, —

“The situation of Capt. Asgill and his family afflicts me, but I do not see what can be done by anyone here to relieve them. It cannot be supposed, that General Washington has the least desire of taking the life of that gentleman. His aim is to obtain the punishment of a deliberate murder, committed on a prisoner in cold blood, by Captain Lippencot. If the English refuse to deliver up or punish this murderer, it is saying, that they choose to preserve him rather than Captain

Asgill. It seems to me, therefore, that the application should be made to the English ministers for positive orders, directing General Carleton to deliver up Lippen-cot; which orders, being obtained, should be despatched immediately by a swift-sailing vessel. I do not think any other means can produce the effect desired."

This language, though not more firm than was justified by the occasion, was, as we now know, much more severe than Franklin would have wished to use had he known all the facts. A submarine telegraph would probably have changed the tone of this sharp letter. Not long after it was written, and before the issue was known, he received another appeal from the Count de Grasse, on the same subject. England and France had had in May the news of Rodney's decisive victory over this admiral on the 12th of April. De Grasse's successes on the coast of the United States had raised hopes for the French Navy which were not made good. He had himself been taken prisoner, and was carried to England.

There he had been cordially entertained by Lady Harriet Asgill. She was in the greatest distress on account of her son's danger, and begged the French admiral to intervene with Franklin, as her friend. De Grasse, therefore, on his return to France, wrote to Franklin the following letter:—

Le Comte de Grasse to Franklin.

PARIS, August 26th, 1782.

SIR, — All the civilities I have received in England, particularly from the family of Capt. Asgill, induce me to beg for him your kindness and your justice. I do not enter into the reasons you may have in making an

example; the odious conduct of Capt. Lippincott seems to authorize it, but, Sir, is poor Capt. Asgill then culpable for being the fellow country-man of an assassin? His character has drawn to him in England general esteem and his present misfortune is such as interests all sympathetic persons. I beg you to grant me this favor. You will thus enable me to discharge all my obligations for the courtesies which I have received from our rivals: and this will be one reason more for me of gratitude to you. May I flatter myself, Sir, that you will receive my request favorably? How glorious it would be for me if I might boast that I could gain from you, as a friend, a favor which has been refused to kingdoms. If I was fortunate enough to render any little service to the United States, when I was in the Chesapeake, I ask you for this justice as a proof of your satisfaction.

I have the honour to be with the most respectful affection &c. &c.

Meanwhile, the English captains in confinement pressed Sir Guy Carleton, who had succeeded Clinton, to give up Lippincott. This time Carleton called a court-martial, which acquitted Lippincott, under the pretext that he had acted under the verbal orders of Gov. Franklin, president of the Board of Associated Loyalists. The reader must remember that he was Dr. Franklin's son. It will be seen, therefore, that Franklin's sharp note to Oswald, advising that orders should be sent to Carleton for the surrender of the murderer, advised, without his knowing it, the surrender of his own son to execution. If only he had known where the bolt would fall, he was a modern Brutus. In fact, however, he did not then know this. He must have

known it afterwards, but neither he nor any one else at that time seems to have alluded to the pathos which is thus added in this dramatic incident. In fact, he could not have suspected, when he wrote his sharp despatch to Oswald, that his own son was the responsible party.

Congress was pressed at the same time by appeals from Vergennes, whose will in this matter was almost law. Washington early expressed a wish to release Asgill; and in the cheerful prospects of returning peace, he was released. We may close our narrative of the episode with the following note, written by Asgill the next year, copied from his own autograph:—

In answer to your question if the Americans put me in irons during the time of my confinement, for their sake as well as mine, I have the satisfaction to inform you that they never did.

HENRY ASGILL.

In the month of June, Mr. Jones, whom we know as Sir William Jones, made a second visit to Paris, and put himself in communication with the American negotiators. Jay, also, arrived from Madrid on the 23d of June. Jay says, in his first despatch home, that, when Franklin sent for him, he had more reason to think his presence necessary than he found it on his arrival. Franklin introduced Jay to Mr. Jones and Jones's companion, Mr. Paradise. Jay calls Jones "a rising character in England, who had refused a very lucrative appointment in the Indies, and had by his talents, excited the notice of men in power;" and also "a learned and active constitutionalist." By this was meant that he was an active member of the Eng-

lish Constitutional Society. Jones told Jay that he "despaired of seeing constitutional liberty re-established in England, and that he had determined to visit America, and in that happy and glorious country to seek and enjoy that freedom which was not to be found in Britain." But in an unfortunate moment, Mr. Jones gave Mr. Jay two printed speeches, which Jay read carefully. With that sensitiveness which marked all his early diplomacy in France, he persuaded himself that he found evidence that Jones was only an emissary of the English Government. He wrote



SIR WILLIAM JONES.

accordingly, on the 28th of June, to Livingston in Philadelphia, "that if one may judge from appearances, the ministry are very desirous of getting some of their emissaries in our country, either in an avowed or private character; and all things considered, I should think it more safe not to admit any Englishmen in either character within our lines at

this very critical juncture."

The fame of Sir William Jones, which, though Mr. Jay did not know it, was already fairly earned, and which was so well maintained, gives a certain interest to these suspicions, which would not attach to the movements of a common envoy. Lord Teignmouth, in his *Life of Sir William Jones*, says that he was going to America for a professional purpose, "to procure the restitution of a very large estate of a client and friend, which had been attached by an order of the States, who had threatened the confiscation of the property unless the owner appeared in person to claim it." Mr. Paradise was this friend. At Passy, Mr. Jones, according

to Temple Franklin, assigned no other motive for his intended voyage than that of accompanying his friend and gratifying his curiosity. Whatever his plans were, they were broken off by Paradise's irresolution. "The same timidity or imbecility which made my unhappy friend declare that he neither could nor would go to Virginia without me, made him declare when he saw the sails and the waves that he neither could or would go at all." It all ended, therefore, in Jones's returning to England, where he arrived late in September.

Probably much more suspicion attached itself to the visit than it deserved. Mr. Jones had been in Paris with Paradise as early as May 20, 1779; and it was at that time that he sent the supposed fragment of "Polybius,"¹ which is printed in his works, and in Sparks's edition of Franklin. Temple Franklin supposes, by mistake, that this was written in 1782. In 1779, in asking for a passport, Jones describes Mr. Paradise as an American gentleman, born in Greece. Temple Franklin also says that the separation at Nantes was the final termination of all intercourse between these two gentlemen for the remainder of their lives.²

Dr. Franklin never shared Mr. Jay's suspicions of Jones. He had known him formerly, as a friend of Dr. Shipley, the Bishop of St. Asaph's. Jones afterwards married Miss Anna Maria Shipley, the bishop's



BISHOP SHIPLEY.

¹ SPARKS's Franklin, vol. viii. p. 543.

² Mr. Paradise appears again in Jefferson's correspondence some years later.

daughter. Three weeks after Jay's despatch to Livingston, which we have quoted above, Franklin gave to the travellers the following cordial note of introduction to Bowdoin, in Boston : —

Franklin to James Bowdoin.

PASSY, July 15, 1782.

DEAR SIR, — I take the liberty of introducing to your acquaintance, two of my particular friends, members of the Royal Society of London, Mr. Jones and Mr. Paradise. You will find them men of learning and ingenuity, and have great pleasure in conversing with them. I recommend them warmly to your civilities; and to your counsels respecting their intended journey to the Southward. They are staunch friends of our cause and country. Be pleased to make my respectful compliments acceptable to Mrs. Bowdoin, and, believe me to be, with great and sincere esteem, dear Sir, &c.

The following letter, of the 21st of June, shows that Franklin's friends were not indifferent to that jealousy of him, of which the reader has already seen traces, and which has made its mark in after-history.

S. Wharton (unsigned) to Temple Franklin.

JUNE 21st, 1782.

DEAR SIR, — I have written four times to your Grandfather since my Arrival here and have not once had a Line from Him. There must be Infidelity somewhere. Pray present my best Respects to Him and mention that I shall soon write him a long Letter and afford him a particular Account of Transactions here, and especially in a Society of which he was a Member.

In the Chapter of Accidents, Three Persons who met in Europe, are thrown together in one Chamber. One of These agrees no better Than He did, with Cassius on the other Side of the Atlantic, as He (Cassius) acts exactly as He did there, which you may remember, gave Occasion to poor Richard to say "If He cannot find a Quarrel wherever He goes, He will be sure to make One." He must pursue a different Mode of Conduct, than what He does, If He means to become a leading Person. His Predilection is clearly in Favor of the Adverse party; — He is strongly attached to it, and will do singular Mischief to our steady good Friend, If not most diligently watched. There is not the least Doubt of his intire Devotion to a certain insidious Peer, and when he hates, and would ruin a Cause, He (Cassius) would exert his utmost Efforts to cooperate with Him. Much could be said upon this Subject, — But Prudence forbids it. Hints can now only be dropped.

These hints, though somewhat blind; will be sufficiently understood by the reader if he knows that this letter was written in Philadelphia.

Patience Wright is one of the most amusing of Franklin's correspondents. Temple Franklin says that she was one of his most valuable agents in London, through the war. She was the niece of John Wesley, but her parents had removed to Philadelphia, and in that city she was born. She became a distinguished portrait artist, being very successful in modelling in wax. She not only made the small heads, which are still preserved in collections, but, as appears from a letter of Franklin's to her, of May, 1779, she made full-sized figures, and was, indeed, the Mme. Toussaud

of her time. She established herself in London during the American war, as an artist, and, being unsuspected, was able to obtain information of importance, which she communicated to her correspondents. She even had access to Buckingham House, where she would communicate her sentiments freely to the King and Queen, greatly to their amusement. The portrait-bust of Lord Chatham, which is in Westminster Abbey, was modelled by her. The following letter, which we copy with its rather amusing orthography, will show her enthusiasm for her fellow-countryman.

P. Wright to Dr. Franklin.

LONDON, July 30th, 1782.

HONORED SIR, — after my most hearty and sincere love to you and your grand-son — friends &c.

I have the pleasure to tell you my hopes is more fixt on you than ever My Enthusiam encreases every day and from good authority can say my politicall Creed is well founded: you will be very Shortly Call'd upon by the People — (Providence whome I trust) will call all the wise honest hearted together and EXPOSE this Shameful Condoct of Wickedness; our People are now in good Earnest to be wise and use those powers god and nature has gave them; now is the time for our great and good men to apeare in the behalf of a Injured and oppress'd People and do Honor to themselves and to mankind my Confidence in you and high Esteem for Mr. W^m Frankling together with the Courage, Condoct and Wisdom of our good men belonging to the diferent Societys will oblige the devil to flye and then the authors of War will go also with him; and peace and Plenty take Place the Publick Funds is what keeps all back Pray help our Credit; you can do it and give the

good offer that help to the Bank So Nesscery ; a letter in its Credet and a line of Friendship to us will bring Thousands your Friends and make Peace on the most Honourable terms to all Nations —

our Manufacturys are going off by way of Ireland to America and the Loyal town of Manchester feels the *effects* of Sound *Policy* abroad we now are Eassy things work Round to the grand Reform our old friend Strahn with others is a Patroat it cause much Chearful Conversation to see Inns and outs — this defunct hopes and fears while our great man thinks himself very safe in his Arms with the art and deception of his Consort and his first Servants &c. Mr. Stephenson is well miss Hustson sends her love to you and wishes much that I had called on her to accompany me to Paris you may see more of your old friends than you expect if we don't prevent them by sending for you to DOVER as is expected by me and others of strong faith — I have had the honor to See and hope with good Reason I beleve my arivall in London was attended with good as my opertunity is great and I find a disposition to speak proper truths I am very happy to here by Mr. Whitford and others that my son is Painting your Portrite. We expect a order from the Comon Councill very soon and so beg the orders of the City or Part of them.

CHAPTER XI.

THE END OF 1782.

THE reader knows, from the history of the negotiation, how seriously Dr. Franklin's health suffered during this summer. He seems to have been able, however, to attend to business, although the volume of the correspondence is materially reduced in those months. The following letters, one from Dr. Cooper in Boston, of a date earlier than that in chapter IX, and one from Carmichael in Madrid to Temple Franklin, refer further to the jealousies and intrigues which affected Franklin's reputation in America, which have been already alluded to.

Cooper to Franklin.

Boston, N.E., Sept. 6, 1782.

MY DEAR SIR, — In a letter I wrote you a few weeks since past, giving some general account of our affairs, I mentioned my kinsman William Cooper and Mr. Leverett, who I then thought were prisoners in England; since which they, with many others of our countrymen, have happily arrived here.

I have been suspicious that our late severe disappointment in the West Indies, by the defeat of the Count de Grasse, would encourage the Court of London to continue the war, by insisting on inadmissible terms of peace.

If this should be the case, it would be perhaps as unwise as it is contrary to all the former declared principles of the new British ministry; for, notwithstanding this disappointment the cause of the allies still stands upon high ground. Savannah is already evacuated, and there are strong appearances that Charleston will soon follow. The refugees and American levies in New York are in great confusion and distress, upon being notified by Sir Guy Carleton that the Court of London was disposed to acknowledge the independence of America, as a basis of peace. At present, we are at a loss what judgment to form of the real intentions of that Court. If it means to continue the war, it must intend to employ its forces now on this continent, or at least a great part of them, in some other quarter, perhaps in the West Indies, and yet we have a recent report that fresh troops are arrived at Halifax from Britain.

The Marquis de Vaudreuil, with thirteen ships of the line and several frigates, lately arrived here from the West Indies to repair. I cannot easily describe to you the mutual tokens of respect and friendship that have passed between the Marquis and his officers and the government and principal inhabitants of this commonwealth. Everything has appeared in the true spirit of the alliance.¹

Unluckily, a few days ago, the *Magnifique* of seventy-four guns, in changing her station, ran aground, and we fear is lost.² Immediately it was the cry of everybody, let the seventy-four gun ship ready to be launched at Portsmouth be offered to the King by Congress, to supply the place of the *Magnifique*.

¹ The text is broken in the MS.

² It was a total loss, and the *America* was given to the King as proposed.

We are but one of the thirteen states, and we know not the views and engagements of Congress respecting that ship, but I never knew a proposal made with more warmth of friendship, than this appeared to be done here, by every rank of men; upon which account, as it was peculiarly pleasing to me, I thought it worth mentioning to you.

General Washington has taken every care to afford the Marquis de Vaudreuil the best and most early intelligence. A day or two ago, an express arrived from the General, acquainting the Marquis that an English fleet had arrived from the West Indies near the Chesapeake of twenty-five sail of the line, and this morning another express was received that came with uncommon despatch upon the same subject. Proper measures have been taken, and the Governor accompanied the Marquis down the harbor this morning, to accelerate, with the aid of our people, all proper precautions.

Mr. Temple has of late been much offended with me, for not acknowledging before a committee of the General Court, that I knew and advised his last going to England, and to Lord North's closet, with a professed view to oppose the representations of Galloway &c., &c., when I never did advise to it, nor ever thought it a justifiable or prudent measure. My sermon on the taking of Quebec the last war, was sneeringly advertised for, with a manifest design to bring into view what I had formerly said of the French nation. The advertisement was supposed to be from Mr. T., though carried to the press by a Nathan Blodgett, formerly purser to the *Alliance* frigate, who, on his return from France, discovered great prejudices against you, and has lately been an intimate of Mr. T. He has since embarked again for that country. Judge Sullivan, a

most respectable character, took some notice of the advertisement in the public papers. This brought on a controversy in print in which I would take no part, and which has risen high. Mr. T. claims great merit for procuring and sending to this country Hutchinson's letters at the expense of all he held under the British crown. To this Mr. Sullivan opposes your advertisement in a London paper respecting the letters, and a printed letter of Mr. T. in which he declares solemnly he had no concern directly or indirectly in procuring or sending them. As I have ever been disposed to be friendly to Mr. T. his behavior in this whole matter has been unkind to me, as well as injurious to himself.

I cannot omit mentioning the situation of Mr. Jonathan Amory, formerly a noted merchant of this town, and who left us at the opening of the war and went to England, and afterwards at Newport took an oath of allegiance to the British King, but has long wished and applied for leave to return to his native country, from which he is now excluded by law. He is a gentleman of an amiable private character, and has never taken an active part against his country. He resides at Brussels, where, should the conferences for peace open, he will wait on you and state his case and his views. I am sure you will be ready to serve him as far as public propriety and safety will admit. From the importunity of his friends, I could not forbear making this mention of him.

I am extremely obliged to you for all your kind attention to my grandson, and am sorry to hear of the disturbances in Geneva. I have the satisfaction to find by a letter from him to his father that he was safe out of the city. Col. Johonnot arrived fortunately two

months past at Baltimore, where his affairs, as he writes, wore an agreeable aspect. I expect to see him in Boston every moment.

With every sentiment of
Respect and affection
Your old friend,

Carmichael to Temple Franklin.

ST. ILDEFONSO, Sept. 21st, 1782.

DEAR SIR, — I observe by a postscript to Dr. Franklin's Letter of the 24th Ult. that you had not received a Letter which I wrote in answer to your obliging favor of the 27th of July and sent by the Ambassador's Courier some days after the reception of yours. In that letter I enclosed two Madrid Gazettes for your Grandfather and am surprised that you have not received it from the Cte. de Vergennes's Bureau. This will be delivered you by Major Franks, whom I recommend to your notice and *particular* civilities not only as a worthy, honest, active officer, but for reasons which I am going to mention. Your Grandfather's Enemies, yours and mine, have endeavoured to injure you all in their Power in the Circles which they frequent at Philadelphia. The unfavorable impressions and prejudices conceived hastily in the Capital Extend to the Provinces, and altho' interiorly we may dispute [? despise] Malevolent and Unjust calumnies, we owe to ourselves every honest endeavor to remove them. The Major is received favorably in all the polite Circles in Philadelphia and is generally known in every state of the Union and equally so in the army. I give you this hint, because I own I wish to make him, as Lord Chesterfield expresses it, your *Puff* — you will pardon the freedom of this advice, which proceeds from answers to some Letters I wrote to

some of my friends on your Acct. I know not what Congress has done in Consequence of your Grandfather's letters with Respect to you. But I am infinitely pleased at the dissappointment of our Common Enemies — I was informed that their venom has lost much of its Force and if A. L.¹ does not succeed in being appointed Secretary of Foreign Affairs, all his ambitious and revenge-full prospects will be blasted. Mr. Adams's reserve must be at an end, for your Grandfather has now the same Commission as himself, and I hope you will accompany him, whenever serious negotiations shall take place. I know not yet Mr. Jay's determination with respect to the acceptance of his Commission. But at all events I shall be under the necessity of remaining where I am. I beg you to favor me now and then with a Letter and to believe me

your friend and Sert.

A little scrap, or note, addressed to Temple Franklin, on the 1st of October of the same year, marks the birth of one of those inventions which have done the most to increase the comfort of our homes, though they are overshadowed by others on a larger scale, which make more noise, and therefore attract more attention. This is the invention of the chemical match, which has, since that time, under one or another form, driven the old tinder-box out from our houses.

Temple Franklin seems to have sent to a Parisian chemist for some of the new matches to show to a friend. The reader will be amused to see how few specimens of the new invention could then be found in Paris. In French, wretchedly spelled, the shopkeepers say in reply, —

¹ Arthur Lee.

We have just now sent to M. Detopierre for some phosphoric matches. He had none made. We have one which we send you. To see the effect, you will take care to break it where the paper is marked, and shake it, — it will take fire immediately.

To-morrow we shall have more, and if you need to send to us, we will send you a dozen.

BETELLY AND NOFEDAS.

PARIS, Oct. 1, 1782.

The moment when all Paris contained but one friction-match, and when the supply of a dozen was considered unusual, may be taken as very near the beginning of the great household invention.

Dr. Franklin's health compelled him to keep the house during several weeks, while the negotiation was in progress. He sometimes speaks of his illness as very severe. As the reader has seen, he discontinued his daily journal of the progress of the treaty on the first of July. Mr. Sparks supposes that this may mark the period when he was unable to attend the daily meetings. On the 17th of August, however, he writes to his old friend, Mrs. Hewson, "I continue as hearty, as, at my age, could be expected." A letter from Oswald of the 5th of September says that he would have sent something "before now if I had thought you wished to have it before I had the honor of waiting on you myself, which was only delayed until I should be informed by Mr. Jay that you were well enough to see me upon business. I heartily wish you a recovery of your health." This shows that at that date Franklin was still confined to the house and received no one. On the 11th of September he writes to the Earl of Grantham, "A long and severe indisposition has delayed my

acknowledging the receipt of the letter your lordship did me the honor of writing to me by Mr. Fitzherbert." This was the letter of introduction of Fitzherbert. It was received at the end of July or the beginning of August, and would certainly have been acknowledged as soon as he could attend to matters not absolutely necessary. On the 17th of September, writing to Hartley, he says, "I have been a long time afflicted with the gravel and the gout, which have much indisposed me for writing. I am even now in pain, but will no longer delay some answer." To John Adams on the 15th of October, he writes, "A long and painful illness has prevented my corresponding with your Excellency regularly." And, in another letter, he says that, when a letter of the 18th of September arrived, he was afflicted with two painful disorders. Writing on the 6th of March of the next year to his friend Lettsom, he says, "I received your favor of September last. It found me laboring under a painful disorder, which put me much behindhand in my correspondence." And we find, that, from the first of July to the first of November, we have, in all the collections, but twenty-seven letters or despatches signed by him. He evidently made an effort to keep up his correspondence with Morris and Livingston at home. All the letters to them and most of the others have been printed in the Diplomatic Correspondence. This shows that the service was now so well organized that few letters were lost by capture, and that the letter-books in the Department of State are more complete than were those of former years.

The reader who remembers that the sour and bitter Capefigue calls Franklin "one of the great charlatans of the eighteenth century,"¹ will be amused to see that

¹ See vol. I. p. 82.

another great charlatan, the celebrated Cagliostro, was recommended to him as a physician.

At the time he was ill, his friend M. Brillon sent him a letter which he had received from a certain M. Grau at Strasburg. This gentleman sends some water "*de Griesbach*," explaining that "this word in German signifies water *against gravel* and it is marvellous against that malady." He also introduces one of his friends, "Who is particularly intimate with the Count *Cueblastro*, to whom he owes his life; — he has said to me that M. de la Borde, Farmer General, and once Valet to Louis XV, being here



COUNT CAGLIOSTRO.

last week, and being attacked by gravel, was immediately relieved by this Count, who gave him the receipt for the remedy which he had administered to him. You can gain information on this subject from M. de la Borde." This letter was written the 29th of August, in Geneva.

Among the other correspondents of the year, who felicitates Franklin on peace, and who received from him the medal with the infant Hercules, is that other charlatan, almost as renowned as Cagliostro, the Cardinal de Rohan, Grand Master of Malta, who, early in the next year, entered on the intrigue, so celebrated, of the Diamond Necklace. It is to be observed that Rohan, who spent most of the year 1784 in Paris, wrote



CARDINAL DE ROHAN.

in 1783 from Malta. It is interesting to observe, that, to a man who conducted his own affairs with such absolute folly, Franklin writes that the medal he sends "is a homage of gratitude, my Lord, to the interest you have taken in our cause; and we no less owe it to your virtues, and to your Eminent Highness's wise administration of government."

The following letter from Robert Pigott is interesting because it contains a reference to the early life of Albert Gallatin. Gallatin had run away from a comfortable Geneva home with his friend Serre, at the age of nineteen, to offer his services in the cause of liberty to America. These services were first rendered at Machias in Maine. At the period when this letter was written, Gallatin was in Massachusetts; and, when he received the enclosure, it is probable that he was the teacher of French in Harvard College.

Robert Pigott to Franklin.

GENEVA, Nov. 26th, 1782.

I had the pleasure of seeing yesterday your Grandson and his companion James. They were both in perfect Health, and I consider as two young plants which will produce good fruit when transplanted into their native soil. They appear as characters different, yet each good in their kind. As I propose to pass the next succeeding months in Geneva, I hope to see them often. If you have any instructions to give concerning them, I shall have much pleasure in receiving them. I take the liberty to enclose your Excellence a letter which is destined for Boston. The young man to whom it is addressed is said to be a great Genius and full of Talents, his Parents are very worthy people and greatly respected. They solicit me to intreat your Excellence

to say a word in his favour to some friend at Boston, and also his itinerant companion, by name Serre. These two young men formed a project to establish themselves in America, animated with the Idea of the new World, where they might have a better opportunity to distinguish themselves than in the old.

Mrs. Pigott desires to present her best respects which concludes me with all possible regard

Honorable Sir

Your very devoted sert.

The Masonic Lodge to which Franklin had attached himself especially, was that known as the Lodge of the Nine Sisters, by which was meant the Nine Muses.¹

At the end of November, the Marquis de la Salle writes to Franklin a formal invitation on behalf of the Lodge, the language of which will show the regard in which he was held in France.

The Marquis de la Salle to Franklin.

VERY DEAR AND VERY DISTINGUISHED BROTHER,
—The Royal Lodge of the Nine Sisters, which has the honour to count you as its "Venerable," enchanted by a peace which gives repose to a world, while it secures the independence of your country, which ought indeed to name you as its Father, desires to make a formal expression of its joy to you. The Lodge has named a deputation to visit you and felicitate you on this happy occasion, and I have the honor to ask you in its name if you will do me the favour to appoint a day and an hour when your brothers can bring you its homage and its good wishes.

¹ See vol. i. p. 171.

With the fraternal sentiments which I owe you as a fellow mason, with the admiration inspired by the sublimity of your talents and the profundity of your insight, with the respect due to the great statesman and to the benefactor of humanity,

I have the honour to be

your very affectionate servant and brother

*Le M^r de la Salle, Vble. de le L. de IX sœurs,
rue St. Roch près la rue Poissonnière à Paris.*

In the annoying and intricate matter regarding Cornwallis's exchange for Laurens, Franklin was a good deal involved. His correspondence with Burke was renewed, as has been seen, by Burke's interest in that affair.

The following characteristic letter from Lafayette relates to this subject. Franklin took the responsibility, and the exchange was effected. After his release, Laurens appears in the negotiations as a very worthy, but apparently very inefficient, member of the commission:—

Lafayette to Franklin.

PARIS, 11th June, 1782.

MY DEAR SIR, — Major Rob having called upon me this morning, and having said, that in the mean while, you gave his Lordship's conditional discharge, is it now your opinion I should give that of the aide de camp, at the bottom of which will you express your approbation of the measure? I request you will please to have the piece drawn up in the way that appears to you the most properly expressed.

When General Lincoln has been released, his family¹

¹ That is, his military family, his aids.

were exchanged with him, and it may serve as a precedent, particularly now the negotiations *are said* to be likely to take place.

Congress are so very strict and General Washington so very cautious upon the exclusive rights of government *alone* in settling all exchanges that I cannot take a great deal upon myself. I am without instructions whatsoever, and have no power of any kind, but Congress know my intentions are good, and I cannot be accused of a propensity towards the British nation. I think therefore, that, if I am authorized by your advice, I may concur with you in releasing the family of the general you have discharged, provided it is in the same conditional way, that is, in case the exchange is immediately made by Congress, or has been agreed to, even before we write this piece. Be pleased therefore, my dear sir, to have it drawn up, in the way that appears most convenient to every party, provided it does not commit either you or me, for you know that in our American Government one must be cautious, — and after it is written fair, leave a place for my name to be put in, and be pleased to write you think the conditional exchange of these gentlemen, so far as you know it, consistent with the sense of Congress, and that you advise me to agree to the measure, or anything that appears to you will answer the purpose.

Most respectfully and affectionately yours,

LAFAYETTE.

I think with you, my dear sir, one must in this measure do everything we can to show our good disposition, so as to let the enemy have the blame in every miscarriage of negotiations, and personally I wish to act politely by Lord Cornwallis.

We print this letter, unimportant in itself, as a good example of Lafayette's English style at that time.

On the 17th of September, Lafayette writes to announce the birth of a daughter.

Lafayette was disappointed in his hopes of assisting in the negotiations by a diplomatic residence in England. On the 4th of December, therefore, he started for America again, on the French ship of war "Centaur." He wrote to Franklin on that day:—

Lafayette to Franklin.

DEAR SIR,—To my very great concern I have not yet received your answer to my letter, nor the account of what has officially passed in money matters. But your opinion has been I should go and I am pursuing an object which I hope may prove useful to America.

Upon your opinion therefore, I determine to go. We are under sails, with nine ships of the line, and about six thousand men, recruits included. Your letters I beg you will send to Mqs. de Castries, who will forward them. My best respects wait upon Messrs. Jay, Adams, and T. Franklin.

With the most tender affection and regard, I am, my dear Sir,

Yours truly,

The fleet sailed that day, but was driven back; and on the 6th of December, Lafayette wrote again at more length:—

Lafayette to Franklin.

ON BOARD THE CENTAUR, BRIN [BRIENNE] ROAD.

DECEMBER the 6th, 1782.

DEAR SIR,—After Having Been two days out of the Road a S. o. Wind obliges us to come Back Again,

and I fear it will give time for Lord Howe to Embarass our Passage — No Letter from you Has Yet Come to Hand, Which I am Very sorry for, as I impatiently wait for information Upon our Monney Affairs — I have not Yet Received Your Answer to My Consulting Letter — But I know the Opinion of the three Gentlemen in the Commission and You Have Also thought that I ought not to detain the fleet on my Account — And as I am still more anxious to do the Best than to Appear to have done so, My Conscience is Easy and I would willingly loose the Credit of past Exertions Rather than to Neglect an Opportunity of Making New Ones.

M. de Rayneval's Speedy Return Makes me hope that Peace is not far at a distance — I would Be Much Obligated to You for Your Opinion — in case Men of some Rank are sent By France, I do not know who will be the person — if it is not the One We Spoke About together it will be the Usual Ambassador, My uncle the Marquis de Noailles — (this if you please, entre nous, Unless you think Useful to Communicate it, Under Secrecy to Your Colleagues.)

As to my Part, if Matters were to Ripen so as to Admit of My Return, Nothing would more Highly please me than the Happiness, Any How to serve America, and more particularly in the Capacity of a Man Honoured with Her Confidence.

An Express is sent to Versailles, By whose Return I Hope to Hear from You and I do not think the Weather will permit us to set out Before that time.

Requesting my Compliments to Be presented to Your Grandson, I Have the Honour to Be with sentiments of Affection and Regard

Your Excellency's

Most Obedient Humble Servant

At almost the same date, Franklin's entertaining and intelligent relative, Catherine Greene, writes to him from her home in Warwick in Rhode Island. The letter gives an amusing sketch of the impression which the French allies made upon the Rhode-Islanders.

"As to your spelling," Franklin had said to this lady, twenty-eight years before, "don't let those laughing girls put you out of conceit with it. 'Tis the best in the world, for every letter of it stands for something." He was no purist about spelling, and he and Miss Stevenson had studied much on a new alphabet with which words would be written as they sound.

Caty Greene to Franklin.

WARWICK, Dec. 5th, 1782.

MY VERY DEAR FRIEND, — Have been favored with your letter by Count Segur which he forwarded from Philadelphia he came to Providence with the army we sent for him but was gone to Newport. On his return to Providence, Ray¹ was at home and waited on him he Sat a day to come with Count Roshambow but it was a heavy Rain for three days, after that the first Coll. went to Boston and he said it was impossible to come, for they are extreem attentive to there duty.

Yr Curious friend [herself] went to Providence to See the Novelty and Sent for the Count to see her was Very much Pleas'd with him and lamented not having an oppertunity of a farther acquaintance and shewing him every Civility in our power he says his Wife visits you and Plays Chex but yr so Galant you never beat her the officers say they are the happiest Couple in France Pray my Regards to her being one of his Strong

¹ Her son, often alluded to in the correspondence. Her maiden name was Catherine Ray.

Admirers he is So Sensible Sociable and Polite but all this you know. — Yr Dear Sister is gone to Boston to Spend the Winter She grows infirm Mrs Greenes Death and not having a letter from you a long time makes her low-spirited I comfort her all I Can Remembering her of your Six Reasons in a former letter our family are all well and Joyn me in the tenderest regard and Best Wishes for your health and happiness. Ray is at College learning as fast as he Can that he may Come to France when he comes out of Colege he has entered his 3d year he is spoke highly of by the President and Tutors hope he will make a good man the Count speaks highly of yr Grandson I want a Peice of Beney's Drawing. is he still at Geneva are you well. when do you come to New England and make all our hearts Glad.

We long for Peice for the inhabitants of this State are and have been exceedingly Distrest and loosing Most all our Vesels and are Very Poor but the French troops have greatly Releaved us from having the Militia on the Shore we are greatly indebted to them — old Uncle Tuthill has an Heir in his old age — Thomey lives to Torment Sukey and Mrs Partridge are living but not to there Brothers Children this from your affectionate Friend

CATY GREENE

Strong and Daughters
love you Dearly believe
everybody does

Doctr. Franklin

A letter this year from the Abbess of the Convent of the Ave Maria shows the courtesy with which Franklin's liberality went out to all benevolent people.

La Sœur Marie de St. Esprit to Franklin.

SIR, — Respect and gratitude alike make it our duty to offer you our good wishes. May Heaven grant that you may enjoy health as perfect as we wish for you. This is our eager prayer for you. Deign, Sir, to be persuaded of the interest which we take in it. Our confidence in your charity makes us hope for the continuation of your gifts.

We beg you to accept the profound respect with which we have the honour to be, Sir,

your very humble and very obedient servant,

*The Sœur Marie de St. Esprit, Abbess of
our poor convent of the Ave Maria of Paris.*

The "Apologue" on the Loyalists, and "Observations on War" to be found in the second volume of Dr. Sparks's collection, — the bitter supplement to the Boston Chronicle, in the fifth volume, — the account of "Toads in Stones" and the "Theory of the Earth" in the sixth, are so many evidences of Franklin's industry in this year.

CHAPTER XII.

OTHER DIPLOMACY.

THE New Year of 1783 opens under conditions quite different from those of any former year in Paris. The American preliminary treaty was completed ; and, a few days after, the treaty between France and England was signed. Vergennes made it a special point of a good deal of ceremony that the American commissioners should be present at the signing of this treaty. This was his method of showing them what they ought to have done when their own treaty was signed.¹ Accordingly, Franklin and Adams attended, Mr. Jay and Mr. Laurens being absent from Paris.

Diplomatic anxiety was thus far relieved, though the discussion of the definitive treaty continued, and overtures to the rising power were made, as we shall see, by different European states. The plans for a definitive treaty engaged Franklin and Hartley at once, but nothing came of them. The history is now interesting, only as it shows what were the wishes of the best statesmen of the time.

On Franklin's part, he sent to Oswald, to take to England, with the preliminary treaty, two papers which he had already submitted to the commissioners. To them he added a third. The first contained "Propositions relating to Privateering." It proposed to abolish

¹ The formal correspondence is in SPARKS ix. 470-472.

the custom, as far as two nations could do it; and that they should so bind themselves, that privateers should never be commissioned by them against each other, even when they were otherwise at war. The last proposition was one "for improving the law of nations, by prohibiting the plundering of unarmed and usefully employed people." He expressed but little hope that these proposals would be accepted. But he said with truth, that they came with the better grace from America, whose ships would generally be laden with "the gross productions of the earth," and would not generally be so valuable, with their cargoes, as the English merchantmen.

When Dr. Franklin showed to Mr. Adams this article, before sending it to Hartley, he said in his journal, "This is a good lesson to mankind, at least."

Hartley, on his side, proposed in the English Parliament other additions to the treaty, which were no less bold. It should be remembered that Shelburne, and other advanced thinkers in England, were ready for a system of free trade, which went much farther than even the English system of to-day. Thus, the English Treasury, to-day, receives many millions of pounds annually, from its duties on American tobacco. But in the plans brought forward in England, in 1783, for permanent arrangements with America, it was seriously proposed to admit all American goods free, if English goods might be admitted as freely in America. It was proposed to make a Zollverein for the two countries. Hartley, who was in Parliament, brought forward this view there. In the fourth article of his plan,¹ he proposed "that all Prohibitory Acts shall be repealed, and that all obstructions to American ships, either entering

¹ The whole plan is in Diplomatic Correspondence, iv. 92.

inwards, or clearing outwards, shall be removed, which may arise from any acts of Parliament heretofore regulating the commerce of the American States, under the description of British Colonies and Plantations, so as to accommodate every circumstance to the reception of their ships, as the ships of independent states." Another article provided "that all duties, rights, privileges, and all pecuniary considerations shall remain, respecting the United States of America, upon the same footing as they now remain respecting the Province of Nova Scotia, or if the said States had remained dependent upon Great Britain;" and again, "On the part of the American States, it is agreed that all laws prohibiting commerce with Great Britain shall be repealed," and "that all ships and merchandise shall be admitted upon the same terms as before the war."

It will be seen that these broad terms gave the Americans free trade in English ports, and gave to English shippers the same privileges in American ports,—if, indeed, one except a certain threepence on tea, which was the only duty left "before the war." But a scheme so broad would not command assent on either side. The new English ministry, and the average public opinion of England, wanted still to punish rebels, if it were possible, by hard commercial terms. On the other hand, Franklin and his friends knew they must give to France at least, and perhaps to Holland and Spain, what we now call the privileges "of the most favored nation." To agree to Hartley's plan, then, would have been to agree to raise no money by duties on imports.

At the same time, it seems quite clear that the American statesmen, generally, would have been glad to build up direct commerce with the Continent generally, at the expense of England. The reader who

follows with care the history of France for the next ten years, will see one chief cause for this failure. The French finances at this time were miserably entangled by the relations of the French Court with the farmers of the revenue. These princes — for they were such — furnished money so conveniently that they, and the system which created them, could not be swept out of being, even for a reform of finance and of commerce. It was impossible then, for a striking instance, to introduce the American tobacco free, — or by a system of taxes much less than what it now paid. In other cases it seemed impossible to change the complicated system of customs. In another chapter the reader will see that more facility in this matter would have greatly improved those financial difficulties which gave occasion to the Assembly of Notables and the Constituent Assembly. At the period of the "Definitive Treaty," they were equally powerful to prevent any considerable relaxation of the terms offered to American commerce. To such difficulties must be added the trouble of language, and the difficulty with which traders of the new nation and of France understood each other. At a later period, Franklin speaks of the difficulty with which mercantile orders were given and executed, because men in America did not know the French names of the articles which they wanted to buy.

Hartley also proposed — with the breadth which governed all his plans — that English subjects should have in America the privileges of American citizens, and American citizens in England the privileges of English subjects. He wished to add a new article to the treaty with this view.

But Franklin and his coadjutors were not obliged to

discuss his plans, for the English ministry rejected all these additional articles. It is hardly necessary to assign their reasons. It is clear enough that they were glad to be rid, for the present, of the whole matter. After a hundred years, it is easy to see that they would have acted wisely, if, by any act of theirs, they could have put a stop to privateering. But it is by no means sure that any treaty could be made strong enough to do this. Hartley's plans also were much too large for the men under whom he was now acting. On the 16th of August, therefore, Franklin notifies Vergennes that he and the English commissioners have determined to make the preliminary treaty into a definitive treaty. A similar course had been adopted by the French in regard to their treaties; and all the definitive treaties, so called, were ratified on the 3d of September. Franklin's colleagues, meanwhile, — Messrs. Adams, Jay and Laurens, — had generally been travelling. The letters of Jay and Adams, so far as they have any public interest, have long since been printed. Of those of Laurens, it must be said that this amiable but tedious gentleman was apt to write most when he had least to say. As with most such men, — perhaps with almost all men and women, — it seems as if the less he had to say, the longer were the letter. Here are, however, two extracts from his correspondence in the early part of 1783, which throw some light on the difficulties and indecisions of the English Government at that time. They will show the range of Lord Shelburne's schemes for free trade, even broader than those which were introduced by Peel after seventy years.

Laurens to Franklin.

LONDON, 17th March, 1783.

SIR,—I beg leave to refer to my letter of the 6th instant by the hands of Mr. Storer. To speak in the current style, Government is still afloat. In the moment when it was thought an administration would be formed, the prospects of the coalition have been dashed. The K. it seems has been the stipulator, insisted upon keeping the Lord Chancellor and introducing Lord Stormont and his M. immediately went out of town. The Duke of Portland will not submit to receive materials into the foundation which may endanger the fabric. On the one side chagrin, on the other sneering is visible. On one part we keep Lent: I cannot hide from myself the mortification which I suffer. Not a step taken towards a definitive treaty and establishing the important "their." The bill of which I sent my colleagues a copy by Mr. Storer is annihilated and another, called an amendment, introduced. A copy of this for their use, you will receive under the present cover. You will read my idea of its merit in three words interlined in the title. I am persuaded it will be torn to pieces to-day. . . . I hold the language steadily "make what acts you please for opening commerce, however suitable to the purposes of Great Britain or speciously conducive to the mutual interests of Great Britain and the United States, I think there cannot be, I think there will not be, an intercourse permitted on our part until a definitive treaty is concluded and the British troops completely withdrawn from our territories."

Laurens to Franklin.

4 APRIL, 1783.

. . . Mr. Pitt told the House of Commons the Commissioners at Paris were well pleased with the outlines of the provisional bill, the one in London smiled at the report, and said he could trust his colleagues; it was pretty notorious that he had been on the reserve save now and then dropping a cautionary hint to beware of the old error of legislating for the United States. My opinion has been often asked, but for the most obvious reasons I declined an interference. At length I framed an American bill for regulating commerce with Great Britain, and held it up to the proper characters as a mirror, from that time, the 22nd March, their own bill which was to have been finished on the 23rd has slept with but very little interruption. You will receive a copy of the American bill enclosed which I presented, as coming by an expeditious courier in five days.

Government as 'tis called is again restored to Great Britain. An administration is formed,—an administration which presents to me a prospect of doing business with us immediately and effectually. I shall know more of this matter before I seal, meaning presently to pay compliments of congratulation.

The acquiescence of Spain in the boundary lines is excellent, tho' I believe very mortifying to some folks here, who I have every reason to believe, harbored intentions of renewing the quarrel.

P.S. I have had a conference with Mr. Fox, reserving neither to commit or pledge myself for any opinion I might give. Mr. Fox discovered disposition to proceed to business with us with liberality and effect. I

urged the necessity of concluding the definitive treaty and withdrawing the British forces from the United States without delay. In answer to supposed difficulties in obtaining transport ships, I proposed the troops to be removed to Long or Staten Island and added, that we might not insist upon hostages for their peaceable behavior or final removal, tho' some powers would. That the state of New York ought immediately to be put in possession of the city and post. Upon the whole the Secretary of State asked if he might report, "That I believed there was a disposition and powers on the part of the American Commissioners to open an intercourse and commerce on¹ terms of reciprocity without delay." I assented as my belief and opinion. I hope for the honor of saluting you within ten days. Be pleased, Sir, to communicate this postscript to Mr. Adams and Mr. Jay.

May 20, 1783, Vergennes proposes three new articles to the treaty between France and America:—

"I. To give all necessary explanations to Article 2 of the Treaty concluded on the 6th Feb., 1778, the United S. declare that all the advantages, privileges and exemptions which are granted or may be granted in the Future, in regard to Navigation or Commerce with any nation, power or state whatsoever, — shall be common to France (*a la Française*) and that she shall enjoy this privilege conformable to Article 3 in the treaty above named, without there being any case or pretext in which the United States can exact compensation on the part of his Most Christian Majesty.

"II. His Most Christian Majesty promises and engages on his part that the subjects of the United States may

¹ "Of," in MS.

enjoy, conformably to Article 3, mentioned above, all the advantages and privileges, which the most favored nations enjoy,—and this, without exacting on their part any compensation.

“III. The Present Convention shall be ratified by his Majesty and by the United States in the course of three months.”

Treaties with Sweden, Denmark, and Portugal were concluded, and overtures made for treaties with Austria,



THE EMPEROR JOSEPH.

Saxony, Prussia, Algiers even, and Bavaria. The negotiation with Sweden brought Franklin into relations which seem to have become somewhat intimate with the Baron de Staël Holstein,—a person of interest to our time, only because, a few years later, he married Anna Louisa, the daughter of Necker, who gave such distinction to his name.

The Swedish treaty was first proposed by his predecessor, the Count de Creutz.

Livingston to Franklin.

The Hon'ble Benjamin Franklin, Esq.

PRINCETON, 15 August, 1783.

SIR,—I had the honour of your favour of the 16th of March last enclosing the treaty between the United States and Sweden, the ratification whereof has been retarded for want of nine states present in Congress. This act has now taken place, and I am honoured with the commands of Congress to transmit it to you for exchange, which I now have the pleasure of doing, and hope it will meet with a safe and speedy conveyance.

On revising the treaty a manifest impropriety struck Congress in the title of the United States being called of *North America*, when it should have been only *America*; and also in the enumeration of the different states, wherein the Delaware State is called "the three lower counties on Delaware." As there is no such state in the Union, Congress were at a loss how they could ratify the treaty with propriety, unless they should alter the transcript, which might be liable to many exceptions; they have therefore, to avoid all difficulties, passed a separate resolve, empowering you to make the necessary amendments. A certified copy of this resolution I do myself the pleasure to enclose.

Congress are entirely at a loss how to account for the silence of their commissioners at Paris since February last, being without any official information relative to the treaty with Great Britain since that time.

I had the honor of writing you very fully of the 15th of July last giving the reasons for our removal to this place at length, which I hope got [to you safely].

It was probably under the impression that the negotiations regarding the definitive treaty would be more important than they proved to be, that Mr. Laurens and Mr. Jay remained for some time in Europe. Mr. Laurens's correspondence in the beginning of 1784 shows to what extent the absurd notion went in England, that the Americans were sick of their independence. In a letter of April 18, 1784, written in London, he says, —

"Some of them, and from circumstances attending, there must be a majority, meaning no man eastward of Charing Cross,¹ still entertain an opinion that America,

¹ That is, no mercantile man.

say the United States must and will infallibly return to Great Britain and upon her own terms. What new maggot has bitten them? 'See,' say they and assert it very positively, 'there is already a defection of four states. Only nine could be carried for ratifying the Definitive Treaty.' I don't think this is merely the effect of ignorance, or not in all of them."

To which Franklin replies, —

"I am, with you, very little uneasy about the proclamation, or any other measures the Ministry may think proper to take with respect to the commerce with us. We shall do very well. They have long lost sight of their true interest, and are now wandering blindfold in search of it, without being able to find it. But they may *feel*, what they cannot at present see, and all, as you say, will come out right at last.

"Mr. Hartley seems to have some expectation of receiving instructions to negotiate a commercial treaty. He thinks he could hardly be sent here merely to exchange the Ratifications; I have not much dependence upon this. Yet, as we are authorized to receive overtures from any European power, and to plan treaties to be sent to Congress for approbation, and I am not yet dismissed, I shall much regret your absence if such a Treaty should be brought upon the Tapis, for Mr. Jay will probably be gone, and I shall be left alone, or with Mr. A., and I can have no favorable opinion of what may be the offspring of a coalition between my ignorance and his positiveness. It would help much if we could have from you, a sketch of the outlines and leading features of the Treaty, in case your proposed departure to America should take place before Mr. Hartley makes his overtures.

"There being nine states present at the ratification, was owing only to the extreme inclemency of the season, which obstructed travelling. There was in Congress one member from each of three more states, and all were unanimous, though the votes of these three could not be reckoned. It is, therefore, without foundation, that these gentlemen flatter themselves from that circumstance, with a defection of four states from the Union, and thence a probability of a return of the whole to the dominion of Great Britain. What folly!"¹

¹ The delusion alluded to had always been current in the Court circles. When Dean Tucker wrote his tract urging independence, Soame Jenyns, a man of letters, and theologian, not yet wholly forgotten, replied in the following amusing poem:—

AMERICA.

ADDRESSED TO THE REV. DEAN TUCKER.

Crown'd be the man with lasting praise,
Who first contriv'd the pin,
To loose mad horses from the chaise,
And save the necks within.

See how they prance, and bound, and skip,
And all controul disdain!
They bid defiance to the whip,
And tear the silken rein.

Awhile we try if art or strength
Are able to prevail;
But, hopeless, when we find at length
That all our efforts fail.

With ready foot the spring we press,
Out jumps the magic plug,
Then, disengag'd from all distress,
We sit quite safe and snug.

The pamper'd steeds, their freedom gained,
Run off full speed together;
But, having no plan ascertain'd,
They run they know not whither.

To Franklin's suggestion thus made, Laurens replies in a letter, from which the following passages are taken:—

“’Tis reported the loyalists in Nova Scotia had quarrelled with their governor, complained of a monopoly of the best lands by the King's officers, were weary of military government, demanded a representation. Many of them had at all hazard returned to the United States.”

He declines trying a sketch of a treaty of commerce. He has no faith in it.

“You know my sentiments, sir, respecting the politics of this country. To-morrow some Bugaboo may cause

Boys, who love mischief and a course,
Enjoying the disaster,
Bawl, “Stop ’em ! stop ’em !” till they’re hoarse,
But mean to drive them faster.

Each, claiming now his natural right,
Scorns to obey his brother;
So they proceed to kick and bite,
And worry one another.

Hungry at last, and blind, and lame,
Bleeding at nose and eyes,
By sufferings grown extremely tame,
And by experience wise,

With bellies full of liberty,
But void of oats and hay,
They both sneak back, their folly see,
And run no more away.

Let all who view th’ instructive scene,
And patronize the plan,
Give thanks to Glo’ster’s honest Dean,
For, TUCKER, thou’rt the man !

a total change in their present plans. I speak, therefore, from appearances, and from no light authority, there is no ground for expecting overtures from Mr. Hartley. Take this for granted, nothing further will be attempted before the meeting of Parliament. Quarrelling will probably be their first employment, and take up no small space of time. . . . I shall, nevertheless, at your desire, hazard committing to writing and communicating such outlines as shall occur to my mind before I leave England.



GEORGE III.

“In the meantime, be assured the Monarch of this Kingdom entertains no ill will to Doctor Franklin, would be glad to receive at his court a character, which, though formerly misrepresented to him, he now admires and speaks of with respect. This is a truism,¹ as the modern-word

coiners have it, it came to me from one who delivered it in conversation at no second hand, whose veracity and candor I am sure you would depend upon.”

Mr. Laurens's impressions were correct. Nothing was done in the matter of a commercial treaty at that time.

An adventurer named Crocco — or who said he was named Crocco — made some proposals in July, 1783, to negotiate a treaty for the Emperor of Morocco. A Mr. Montgomery volunteered for the same service. Regarding this matter, there are three letters, which need not be reprinted here, in the Diplomatic Correspondence.

¹ The word “truism” is not found in Johnson's Dictionary.

In one of them Franklin asks Carmichael if Mr. Crocco may not be an *Escroc*, "as the French call cheats and impostors."

The following letter is the reply from the patient Mr. Carmichael, — who was enduring the tedium of the Spanish Court as well as he could in Mr. Jay's absence, — and it throws all needed light on this queer bit of history. It seems worth printing, as a good illustration, among fifty, of the impudence with which one and another adventurer tried to connect their fortunes with those of the infant nation : —

Carmichael to Franklin.

MADRID, 15th Jan. 1784.

. . . The Mr. Montgomery who occasioned your Excellency the correspondence of which you have done me the honor to send me copies is not unknown to Mr. Jay. On that gentleman's departure from this country, he addressed me on account of a law suit he had before the council of war here, in which it was requisite that I should interfere to prove that he had taken the oaths of fidelity to the United States. For this purpose he put into my hands a certificate signed by your Excellency. This rendered it my duty to afford him the assistance in my power. I did so. He had lost his case before the same tribunal, he gained it by a revision of the sentence.

In one of the letters from him to which this affair gave rise he informed me that an Ambassador from Morocco had put into Alicant. In my answer I desired him as an American to be as useful as he could be to that personage, because hereafter he might be of service to us. I heard no more on this subject until several months after, when he inclosed me a copy of a very

singular letter, which he had taken the liberty to write to the Emperor. Not by the Ambassador above mentioned, but by some other who had afterward been in that post, advising me at the same time of his having transmitted to your Excy and Mr. Jay a copy of this and of the answer he had received to it. I wrote him expressing my surprise that he should have taken such a step without having the smallest authority that I knew of for that purpose. I at the same time requested him to send me copies of the answers he might receive from Paris. My letter I believe offended him, for he hath not written to me since. In the month of July Mr. Harrison advised me of the arrival of Giacomo Franco Croco at Cadiz, as also that he had applied to him for money. I advised him to treat the man civilly but to make no advance whatever. In August last Mr. Croco waited on me at St. Ildefonso. I received him with politeness, made use of several expressions of the desire of the States to cultivate the Emperor's friendship, but added that I believed they had not given the necessary powers to anyone in Europe to conclude a treaty. He told me that he had written your Excellency from Cadiz and expected your answer. I soon discovered that he had come to Spain on a particular commission, not I believe of a political nature, for I saw him once or twice in the Minister of State's ante-chamber, and remarked that he was treated with little attention. In public he generally appeared in low company. He told me that he had a letter from the Emperor to Congress which he had left at Cadiz. This circumstance appeared to me somewhat singular, as he had before mentioned to me his design of proceeding to Paris when he had finished his business here and should have an answer to the letter he had written to your

Excellency. He left St. Ildefonso a short time afterward, and I have not seen or heard from him since. This, sir, is all I know on the subject. I was much hurt and vexed by the forwardness and imprudence of Mr. Montgomery who in other respects is a very worthy man and has been useful to many of our countrymen since the commencement of the late war.

The various diplomatic enterprises of the nation are all alluded to in a letter which Franklin writes to Jay in January, 1785, which he perhaps intended to be his last allusion to them. He hoped Jay would be Secretary of Foreign Affairs, and, in fact, he had accepted the post before this letter arrived. Franklin says, —

“As far as I can perceive, the good disposition of this Court toward us continues. I wish I could say as much of the rest of the European Courts. I think that their desire of being connected with us by treaties is of late much abated, and this I suppose is occasioned by the pains Britain takes to represent us everywhere as distracted with dissensions, discontented with our governments, the people unwilling to pay taxes, the Congress unable to collect them, and many desiring the restoration of the old government. The English papers are full of this stuff, and their ministers get it copied into the foreign papers.

“I should be less unhappy,” he says in conclusion, “if I could imagine the delay of my *congé* useful to the States, or in the least degree necessary. But they have many equally capable of doing all I have to do here. The new proposed treaties are the most important things; but two can go through them as well as three, if indeed any are likely to be completed, which I begin to doubt, since the new ones make little progress,

and the old ones, which wanted only the *fiat* of Congress, seem now to be going rather backward. I mean those I had projected with Denmark and Portugal."

To Hartley, a few days earlier, he had said of the English commercial treaty, "I do not know that any one is yet appointed by your Court to treat with us. We, some time since, acquainted your minister with our powers and disposition to treat, which he communicated to his court, and received for answer, that his Majesty's ministers were ready to receive any propositions we might have to make for the common benefit of both countries, but they thought it more for the honor of both that the treaty should not be in a third place. We answered, that though we did not see much inconvenience in treating here, we would, as soon as we had finished some affairs at present on our hands, wait, if they pleased, in London. We have since heard nothing."

As late as the 14th of March, 1785, Dr. Franklin wrote to Benjamin Vaughan the paper on the Criminal Laws and the Practice of Privateering, — which is printed in the second volume of Mr. Sparks's edition of his works. Roncilly published it, in the next year, anonymously as "A Letter from a Gentleman abroad to his friend in England."

CHAPTER XIII.

SCIENCE, LITERATURE, POLITICS, AND ART, 1783.

IN the comparative leisure of the year, Franklin is able to give more attention to his scientific pursuits. It was on the 5th of June of this year, that Montgolfier sent up a balloon at Annonay, which remained ten minutes in the air. In October, Rozier ascended in a balloon filled with hydrogen. Franklin's interest in these experiments was very keen, as the reader may imagine. In the next chapter we shall arrange together his notes regarding them.

In February he received from Ingenhousz a letter,¹ which contains the first notes of some experiments, now very familiar.



Ingenhousz to Franklin.

VIENNA, 28 Jan. 1783.

[*Extract.*]

I hope you have put the wire enclosed in my last to the test in a phial filled with fine dephlogisticated air. If you have, I am sure you will have been pleased with the experiment. I burned some days ago a watch spring in a large jar filled with dephlogisticated air. The appearance was magnificent, and inspired some terror in some of the bystanders; though there is not the least danger in it, if you leave open the orifice of

¹ An earlier letter is in SPARKS, vi. 448.

the jar, or, which is still better, if the jar has the bottom taken away. A Clock [Bellglass] for an air-pump having an open neck instead of a knob is the best, for a common jar must be unavoidably broken by the melted metal falling down upon the bottom, at which it sticks, and which, therefore, must break, though there was water kept in it at the height of two inches. I dare say you will be equally delighted to see a small piece of Phosphorus burn in a jar filled with very fine dephlogisticated air in the way described in my book. You will doubt whether even the sun itself has more splendor than the smoke issuing  from it. The piece must be only of this size,  for if it is a thick piece, the conflagration is too quick, and the flame too large, and the jar will be broken. A cylindrical piece of phosphorus as thick as a common quill must be divided in four at least. There is in my German book I sent you, a figure of a small iron or brass [?] fixed to a long wire for this purpose. The orifice of the jar for this experiment must be open or loosely stopped during the experiment.

To this letter Franklin replies on the 16th of May. From that letter we extract the passages most interesting after a hundred years. In his writings on electricity, another passage from the same letter was printed long since.¹

“I have long since been tired of the acquaintance of M. V. (Veinbrenner); having but a small remnant of life, I cannot attend to his endless discourses and numerous long letters and visionary projects; he wants to be employed in our affairs, — but he manages his own so badly that one can have but little confidence in his

¹ See SPARKS, v. 477.

prudence. I pity him, however, though I see no possible opportunity of serving him.

"I thank you for your friendly congratulations on the peace, and cautions respecting our future conduct. They are good and wise."

"Your experiment of burning the wire has been made here with the greatest success. My grandson had it tried at M. Charles'¹ Lecture, where it gave great satisfaction and was much admired. . . .

"I have received no intimation, except from you, that a proposition for such a treaty would be acceptable to his Imperial Majesty; — I shall however venture to propose it to the Ambassador, when I request his forwarding to you this letter. The Commodities you mention as productions of the Emperor's Dominions are all wanted in America and will sell there to advantage."²

"I will send you another piece of the soap you mention when I can have a good opportunity. I now send you one of the medals I have caused to be struck here, which has the good fortune to be much approved.

"With regard to the Statuary (artist) you mention, I hardly think it can be worth while at present to go to America in expectation of being employed there. Private persons are not rich enough to encourage sufficiently the fine arts, and therefore our geniuses all go to Europe.

"In England at present the best history painter, West, the best portrait painter, Copely,³ and the best landscape painter, Taylor,⁴ at Bath, are all Americans. And the

¹ M. Charles was the eminent man of science who won so much distinction at the end of this year by ascending in a hydrogen balloon.

² Congress soon afterward gave Franklin power to negotiate.

³ So spelled by Franklin.

⁴ John Taylor is not called an American in the biographical dictionaries. They say that he was born in Bath, studied in London,

public, being burthened by its war debts, will certainly think of paying them before it goes into the expense of Marble Monuments. He might indeed, as you hint, be easily paid in Land. But Land will produce him nothing without Labour. . . . After a few years such an Artist may find employment,—and possibly we may find a white marble” — (Here the manuscript breaks off, and the rest of the letter is lost.)

To this curious reference to the American artists at work in England, Franklin might have added the name of his enthusiastic correspondent, Patience Wright. The reader has already seen how far the West family were likely to maintain the national reputation.

The French political students were, naturally, greatly interested in the formal making of written constitutions in America, by conventions called for that purpose. Franklin persuaded his friend, the Duke de la Rochefoucauld, to translate into French the several State constitutions. He had the book handsomely printed by Pierres, the King's printer, and sent copies, elegantly bound, to his friends and to persons in public position. The theory of the “Contrat Social” of Rousseau was so far sustained by our Constitutional Conventions, that the theorists were pleased with so good illustrations of it; and, as we shall see, there were already those who were looking forward to a reform in the civil institutions of France.

Cooper's sermon on the inauguration of Hancock as first governor under the Constitution of Massachusetts was translated into French. It is a statesmanly address,

and attained to great fame there. “His pictures, marines as well as landscapes, are enlivened with figures and animals. They decorated the palaces of the English nobles.” Nagler gives a list of engravings from his works, and mentions two etchings, also by him.

and was highly approved. It is a little curious that Franklin says to Cooper that while in New England everybody is acquainted with Scripture phrases, he has observed in England, as well as in France, "that verses and expressions taken from the sacred writings, and not known to be such, appear very strange and awkward to some readers."

Cooper was a friend, indeed, for whose abilities Franklin had great respect, and who had unwavering confidence in him. He died on the 29th of December, 1783. One of Cooper's last friendly offices to Franklin was a second allusion to the effort which had been made in America to show that the court of France had been secretly opposed to the American interests, and that "it was entirely owing to the firmness, disinterestedness and sagacity of Mr. Adams, with whom Mr. Jay united, that we have obtained these important advantages." The same letter said that it was charged that Franklin himself favored, or did not oppose, this design.¹

Franklin at once sent this letter to Jay and to Adams. Jay answered explicitly that Franklin's conduct, both in regard to the boundary and the fisheries, indicated a steady attachment to both those objects, and, in his opinion, promoted the attainment of them. Adams replied by quoting his own despatches. In his first letter, he said that the doctor heard him and Jay on this subject patiently, and said nothing. But afterwards he said, "he has gone on with us in entire harmony and unanimity throughout, and has been able and useful, both by his sagacity and reputation, throughout the whole negotiation." The whole subject of this charge against Franklin was discussed by Mr. Sparks in "The North American Review" for January, 1830. Frequent refer-

¹ The letter is cited in SPARKS, x. 6.

ence to it is made in the correspondence of the summer. Franklin's last letter to his friend was written on the 26th of December, 1788. But Cooper never received it. He died three days after it was written.

Franklin to Cooper.

PASSY, Decr. 26th, 1788.

DEAR SIR,—I have received your favour of the 16th October, and am much obliged by the intelligence it contains. I am happy to hear that your government has agreed to furnish Congress with the means of discharging the national debt.¹ The obstruction that measure met with in some of the states, has had very mischievous effects on this side the water; it discouraged the loan going on in Holland, and thereby occasioned a protest of some of Mr. Morris's bills. Nothing can recover our credit in Europe and our reputation in its Courts, but an immediate proof of our honesty and prudence by a general provision in all the States for the punctual payment of the interest, and the final regular discharge of the principal. I hope we shall never deserve, nor any longer appear likely to deserve the reproof given to an enthusiastical knave in Pennsylvania, who, being called upon for an old debt, said to his creditor, "*Thou must have a little more patience: I am not able yet to pay thee.*" "Give me then your bond," says the creditor, "and pay my interest." "*No. I cannot do that, I cannot in conscience either receive or pay interest, it is against my principles.*" "You have then the conscience of a rogue," says the creditor: "you tell

¹ Cooper had informed him that "the House of Representatives of the State have this moment passed an act for a duty of five per cent on all goods imported, for paying the interest of our national debt, according to the requisition of Congress." The vote was 75 to 68.

me, it is against your principle to pay interest ; and it being against your interest to pay the principal, I perceive you do not intend to pay me either one or tother."

My young friend, your grandson,¹ must have had a long passage, since he was not arrived when you wrote: indeed all the vessels that left Europe for America about the time he did, have had long passages, which makes me less uneasy on his account. I hope he is in your arms long before this time. His father never made any provision here for his return, that I have heard of, and therefore I have drawn on you for the balance of the account, as you directed.

I wrote you a too long letter some time since respecting Mr. A's calumnies, of which perhaps it was not necessary to take so much notice.

The government in England is again disordered, the Lords have rejected the Ministry's favourite bill for demolishing the power of the India Company: the Commons have resented it by some angry resolutions. And it is just now reported here, that the Ministers are dismissed, and the Parliament dissolved. Of this we have yet no certain advice, but expect it hourly.

There are hopes that the war against the Turks will blow over; the rather, as all flames are apt to spread, and the late belligerent powers have all need of a continued peace: this however is not certain, and it behoves us to preserve with care our friends and our credit, and our union at home, as we know not how soon we may have occasion for all of them.

With great and sincere esteem, I am ever, my dear friend,

Yours most affectionately,

¹ Young Johannot.

With the prospect of peace, the adventurous young American institutions began, by different experiments, to test the forbearance or the courtesy of Europe. That stream of respectable beggars, who are the greatest annoyance of all persons in public position, began to pour in upon Franklin and his fellow-commissioners. In the latter part of 1782, John Wheelock, the second President Wheelock of Dartmouth College, appeared with credentials entitling him to collect money for that institution. The American commissioners were kind to him, gave him their commendations, and he collected some money from the friends of America in Europe. The Prince of Orange contributed among others, and the rich Hamburg merchants. But the omens of this first venture were not encouraging. On his return voyage, Wheelock was shipwrecked on Cape Cod, and all his books and money were lost.

But his fate did not deter others. Indeed, others had already begun. The president and trustees of Brown College sent over to Louis XVI. a rather pathetic letter, asking for his subscriptions, and suggesting that he should endow a French professorship. Their memorial was elegantly engrossed. It appeals to the King as a patron of those arts which polish humanity and exalt our natures.

“With these sentiments we regard the Monarch of France, and with all deference beg leave to express our wishes of having a professor of the French Language and History, in this our infant Seminary, — a thing we ardently desire, but are unable to accomplish.

“Ignorant of the French Language, and separated as we were by more than the mere distance of countries we too readily imbibed the prejudices of the English, —

prejudices we have renounced since we have had a nearer view of the brave Army of France, who actually inhabited this college Edifice, since which time our Youth seek with avidity whatever can give them information respecting the characters, genius and influence of a people they have such reason to admire, — a nation so eminently distinguished for polished humanity.”

They also explain that they should like a French library, and close by saying, —

“Regarding your Majesty as a Monarch endowed with qualities that add Lustre to a Crown, — ever ready to patronize what is good and usefull, we presume to solicit your Majesty’s assistance.”

The memorial is signed by Step. Hopkins, James Manning, and directed

“To His Most Christian Majesty.”

When this memorial arrived, Jefferson was in Paris. He found that such grants were never made, and did not present the memorial.

There is a very grateful letter, signed by Nathaniel Emmons and Hezekiah Fisher of Franklin, Mass., thanking Dr. Franklin for the public library which he had presented to that town. Dr. Emmons made it the subject of an address,¹ which was printed at the time.

The Count de Grasse, in acknowledging the thanks of Congress for his assistance in the Chesapeake, takes, without meaning to, perhaps, the whole credit of the combined expedition there, which resulted in Lord Cornwallis’s surrender.

¹ “The Dignity of Man, discourse at Franklin, Mass., upon the Occasion of receiving from Dr. Franklin the Mark of his Respect, in a Rich Donation of Books for the Parish Library.”

Count de Grasse to Franklin.

APRIL 13th, 1783.

I am very much flattered that my services in the cause of American liberty have gained me such flattering testimonials as your Republic has kindly given me, . . . and that you have had the goodness to address to me as if I were the Minister of War of his Majesty.

I shall always think myself happy in having formed and carried out the project of the conquest of Yorktown, which decided the independence of a people so fit to govern themselves by their own law and who bear witness by public thanksgiving to its worthiness.

I have the honor to be, with respectful consideration,
Sir,

The very humble and very obedient servant of
your Excellency,

The following note from the Chevalier de Keralio, who was a frequent correspondent on subjects not more important than this, illustrates prettily the friendly terms which Franklin maintained with such ladies as Madame Helvetius, Madame Brillon, and many others.

The Chevalier de Keralio to Franklin.

SUNDAY, May 25th, 1783.

Our heavenly friend accepts with the utmost pleasure the proposition of her respected friend for Thursday next. If she does not bring her children, it is not her fault. She has sent word to them that he has done them the honor to invite them, but they are at Forbach, ninety leagues from Paris and she doubts if they will be able to arrive in time for dinner. Do not expect them. She will bring in their place Baron de W., Cap-

tain of the Royal Deux-pont Regiment, which has fought bravely for American liberty. Allow the confidential secretary to accompany his good lady and I anticipate anew the pleasure of assuring you of the tender respect with which it is always my glory to be, my worthy friend,

Your very humble and very obedient servant,

Here is a correspondence of courtesy, such as finds place in the relations of friendly nations.

To the American Ministers.

PARIS, Aug. 12, 1783.

GENTLEMEN, — I have the honor of transmitting to you a copy of a letter which I have received from Mr. Fox, containing an account of the Queen having been happily delivered of a princess¹ and that her Majesty and the young princess are as well as can well be expected.

Since the reconciliation which has happily taken place between our two countries I am happy in the opportunity of communicating to you such an occasion of our joint congratulations as the first token of that satisfaction which your country and you as the Ministers of it in the present case will receive from this and from

¹ This is the Princess Amelia, born Aug. 8, 1783. She is the child of whom such a pretty memorial exists in Madame d'Arblay's letters and diary, and in Thackeray's "George III.," — the same who walked alone in the terrace, the royal family following and admiring. She died unmarried, the favorite child of an insane father, Nov. 2, 1810. This was the last blow which ended the king's public life. He was even unable to affix his signature to the commission which was to prorogue Parliament. Parliament met with no speech or message, and with no commission to open it. The princess died the next day, but the poor king never recovered. So vain were the hopes expressed in the text.

every event which may contribute to the happiness and honor of the King, the Queen, and all the Royal Family of Great Britain.

I am, gentlemen,

With the greatest respect and consideration,

Your most obedient servant,

D. HARTLEY.

To David Hartley, Esqr.

SIR, — We have received the letter which you did us the honor to write on the 12th inst. and shall take the first opportunity of conveying to Congress the agreeable information contained in it.

The sentiments and sensations which the re-establishment of peace between our two countries ought to diffuse through both, lead us to participate in the pleasure which the birth of a princess must naturally give to the Royal Family and People of Great Britain; and we sincerely congratulate their Majesties on that addition to their domestic happiness.

We have the honor to be with great regard and esteem

Sir, your most obedt. and very humble Servants,

J. A. B. F. J. J.

On the 15th of August, the Dutch ambassador writes to say, "There is a rumor here in the last twenty-four hours of a rebellion among the American troops, of 5,000 men, with their officers at their head, who had committed some disorders at Philadelphia. The ambassador hopes to learn that this rumor is false, and, if it is not indiscreet, begs Mr. Franklin to tell him if he knows any thing positive on the subject."

Franklin's answer does not appear; but, as the student of American history knows, the rumor was not without foundation.

It is interesting to note the arrival of so distinguished a person as Dugald Stewart in the philosophical circle at Passy.

Vaughan to Franklin.

LONDON, Augt. 8th, 1783.

MY DEAREST SIR, — I beg to introduce to your kind regards one of my best respected friends, Mr. Dugald Stewart, who, though as yet little known out of Scotland, is one of the best known men in it. He stands in the very first class of their mathematicians and literary men. He has twice, at a day's warning, taken up Mr. Adam Ferguson's lectures in Moral Philosophy, and twice completely excelled him in the opinion of every one, as was proved in particular by the attendance he had while he lectured. Perhaps you may remember his father, who lectured at Edinburgh in Mathematics, and wrote a treatise on the sun's distance from us, as deducible from the theory of gravity. It is very poor [praise] to Mr. Stewart to say that in science it is the father who is really the child.

My friend travels with Lord Ancram, the son of the Marquis of Lothian, whom he represents to me as a pretty and very amiable young man. I beg you would extend your notice to him also.

I have extreme confidence in begging your attention to Mr. Stewart, because I am sure it is in his power to repay you by the information he can give you of the literary characters in his country, and the objects they are pursuing. He is, however, very diffident, and is very fearful of betraying himself upon subjects he is not master of, in which list for the present, *he* reckons mathematics, and is therefore averse to meeting M. de Alembert on the subject, though he wants to see him.

He is not strong in natural philosophy, but he understands every thing in it. He burns to see you as its present father; and, as at least half the time I spent alone with him in Scotland was employed in conversing about you, I believe he would not think he had been out of the country unless he was allowed to see you at Paris.

To keep in memory the anxieties on Franklin's mind in 1783, it should be noted that his trusted relative, Jonathan Williams, stopped payment as a merchant on the 10th of July.

CHAPTER XIV.

BALLOONS.

THE date of the year 1783 is first remembered by most Americans as the date of that treaty of which the history has been given. But if, at the end of that year, the Parisian of average intelligence had been asked what would make it a remarkable year in history, he would have been apt to answer that it was the invention of the balloon.¹ From April to the end of the year, new experiments with the balloon, and the adventures which accompanied them, caught the attention and admiration of all Paris. The theatre took up the theme, of course; epigrams flew right and left, based on the good or bad fortunes of the adventurers; and a medal was struck to announce the birth of the infant discovery. In all this, Franklin, now more at leisure, was greatly interested. He conceived hopes for the discovery which are yet to be fulfilled. At this moment, when his passion for peace was satisfied by the treaty which he had just signed, he thought he saw in the balloon a pledge for the impossibility of war. The chatterers of Paris very soon began to ask the question which has been asked so freely from that day to this, "Of what use is the balloon?" And Franklin replied, "Of what use is the baby just born?" The epigram was repeated everywhere, and appears as early as August in the Grimm-Diderot correspondence.

¹ See letter from Dr. Price on p. 278.

The experiments which seem to have led to the invention of the balloon are ascribed to Blanchard. As early as March, 1782, as appears from the Bachaumont memoirs, were printed details on the project of a flying cabriolet, by which Blanchard proposed to travel thirty leagues an hour in the air. It was to float on the water if necessary. Paris and the Court, the princes of the blood themselves, went to see Blanchard's arrangement. On the 5th of June, 1783, Montgolfier sent up his first successful air-balloon at Annonai. This was the experiment with heated air, which has given his name to balloons thus filled to the present time. Grimm says that the Montgolfier brothers were led to make the experiment, from the wish to attack Gibraltar from above, after the wretched failure of the celebrated floating batteries. "The Montgolfiers had sent to Lyons for a piece of taffetas simply that it might be used for the facing of coats. But they thought it better fit for their physical experiment. It was cut into the form, more or less exact, of a sphere. They introduced into it forty cubic feet of air.¹ The balloon escapes from their hands, and rises to the top of the room. Archimedes, when he found the solution of his famous problem, was not so happy as were our inventors. They eagerly seized their machine, and let it loose in a garden, where it rose to the height of thirty feet. Having confirmed this first success by new experiments, they constructed the great machine, which rose on the 5th of June, in the presence of the provincial estates."

"This globe was thirty-five feet in diameter. It was made of muslin (*toile*) lined with glazed paper. They filled it by making a fire of wet straw, and various animal substances, such as wool, and other greasy things

¹ It was, therefore, rather more than four feet in diameter.

more or less inflammable. This smoke raised the globe, as soon as it was set free, to a height variously estimated by some at five hundred *toises*, by others at a thousand. It descended ten minutes after, undoubtedly on account of the loss of the gas which had raised it." The closing "undoubtedly" is as false as most of the "undoubtedlys" of the Grimm correspondence. The bad-smelling "gases" made from wool and the rest had no share in the ascent, excepting as they were hot. When the balloon cooled, it fell.

A full account of this successful experiment was sent to the Academy of Sciences at Paris. M. Faugas de Saintfond, a man of science, opened a subscription for the money necessary for repeating the experiment. He engaged Charles and Robert, whose names have ever since been connected with the invention of balloons, to make the trial. "These gentlemen said at once that forty or fifty louis (a hundred and sixty or two hundred dollars) would be enough for the experiment, and we are so much accustomed in this country to societies and expenses of this sort that the munificence of our public spirit was greatly surprised that this little sum should be raised in a few days at three livres each for three tickets." Then began a quarrel between the men of science and the subscribers, as to whether the globe should, or should not, be set free. Fortunately for the world, Charles and Robert did not know by what "gas" the Montgolfiers had filled their globe. Robert dissolved elastic gum, and with it varnished his muslin, and then filled his balloon, as thousands of balloons have been filled since, with hydrogen gas, made by the decomposition of water with iron filings treated with sulphuric acid. This was called "vitriolic acid" in the contemporary report. By the 27th of August all

was ready. No royal review ever called together so many people. The globe was twelve feet in diameter. The weather was stormy and the sky cloudy. The globe was filled without difficulty, and rose at once, and went out of sight. For a moment all Paris hoped that it had gone to the extremities of the universe; but in truth it fell at the end of an hour and a quarter in a village about four leagues away from Paris, greatly to the terror of the peasants at work there.

It need not be said that within three days Paris was flooded with engravings representing the rising of the balloon and its descent.

It was then that Franklin made the epigram which we have quoted. "What is the good of the baby just born?" he said. "Of course this child may die in the cradle, perhaps will be only an idiot; but perhaps some day we shall see in him the glory of his country, the light of the century, the benefactor of the human race."



DIDEROT.

These anecdotes are taken from the Grimm-Diderot correspondence to sovereigns of Europe. These letters constantly refer to the invention in every month's letter. Some of the passages are these:—

"'Cassandre mechanicien, ou le Battre volant,' comedy in one act and vaudeville, given for the first time in the Théâtre Italien, on Friday the 1st of August, is the maiden effort of a young man, M. Goulard from Montpellier, the son of a doctor who has given his name to a vegetable-mineral matter of which our apothecaries make great use.

"This trifle was written when in Paris we had only heard of the flying boat of M. Blanchard. This pretended marvel is to-day wholly eclipsed by the really useful and beautiful invention of MM. Montgolfier, d'Annonay, who have succeeded in making out of linen and paper a globe thirty-five feet in diameter, which, after being filled with inflammable gas, and let loose, rose almost out of sight to a height estimated by some at five hundred and by others at a thousand *toises*, and only fell ten minutes after, doubtless by the escape of the gas which filled it."

"Never did a soap-bubble occupy more seriously a group of children than has the aerial balloon of M. Montgolfier occupied for a month the city and the Court. In all circles, at our suppers, at the toilets of our pretty women, as in our academic lyceum, the only question is of experiments, of atmospheric air, of inflammable gas, of flying cars, of aerial voyages. One could make a book much more foolish than that of Cyrano de Bergerac¹ by collecting all the projects, all the dreams and all the extravagances, for which we are indebted to the new discovery. I have already seen the politicians of the cafés calculate, with a grief truly patriotic, the increase of expense which the establishment of an aerial navy will cause to us. I have seen others smile at the happy idea of forming a department quite fit for that minister who will be contented with it, perhaps, in view of his impatience in not getting any other. All the uneasiness which is left to M. Judin de la Brenellerie by an invention so well calculated to extend the bounds of monarchy as those of the human mind, is that Eng-

¹ Author of *A Journey in the Moon*, a satirical romance. Born 1620, died 1655.

land, our rival, will perfect it before us, and will soon usurp the empire of the air, as she has for a long time usurped that of Neptune."

Occasional failures occurred, almost of course. These met the jeers of the satirists. Here is the comment on one in Lyons: —

"Vous venez de Lyon, parlez-nous sans mystère"

"De la globe? Je l'ai vu."

"Le fait, est-il certain?"

"Où Messieurs —"

"Dites-nous, a-t-il été bon train?"

"Comment! il allait *ventre-à-terre*."

On the 2d of March, 1784, Blanchard made an ascent, for which the subscription was said to amount to forty or fifty thousand livres.

"Au Champs de Mars il s'éleva,
Au Champ voisin il s'abalassa.
Chargé d'argent il resta là:
Messieurs, sic 'itur ad astra.'"

These three Latin words had been the motto on the tickets.

As early as September, or perhaps earlier, Franklin wrote to Sir Joseph Banks an account of the invention, as far as it had then proceeded.¹ He was then the president of the Royal Society. He acknowledges the paper, under date of Sept. 13, saying, "I lament that the vacation of the Royal Society will not permit me to lay your paper before them as a body immediately; but it shall be the first thing they see when we meet again,—as the conciseness and intelligence with which it is

¹ By Mr. Bigelow's kindness, we are able to print this valuable letter in Appendix C.

drawn up, preclude the hopes of any thing more satisfactory being received.”¹

Before he received this, Franklin wrote the following letter to Dr. Price:—

Franklin to Price.

PASSY, near Paris, Sept. 16, 1783.

MY DEAR FRIEND,—Having this opportunity by Mr. Brigham, who has the honor of being known to you, I seize it to thank you for your excellent book, and other favours, and to let you know that I continue well, except a little gout, which perhaps is not more of a disease than a remedy. Mr. Petrie informed me of your being also well, with Mrs. Price lately at Brighthelmstone, which gave me great pleasure: please to present my affectionate respects to that good lady.

All the conversation here at present turns upon the balloons filled with light inflammable air, and the means of managing them, so as to give men the advantage of flying. One is to be let off on Friday next, at Versailles, which it is said will be able to carry up a 1000 pounds weight, I know not whether inclusive or exclusive of its own. I have sent an account of the former to Sir Joseph Banks, our president, and shall be glad to hear if the experiment is repeated with success in England. Please to forward to him the enclosed print.

Inflammable air puts me in mind of a little jocular paper I wrote some years since in ridicule of a prize question given out by a certain academy on this side the water, and I enclose it for your amusement. On second thought, as it is a mathematical question, and perhaps I think it more trifling than it really is, and you are a mathematician, I am afraid I have judged wrong

¹ The whole letter is in SPARKS, x. 13.

in sending it to you. Our friend, Dr. Priestley, however, who is apt to give himself airs (i.e., fixed, deflogisticated, &c. &c.) and has a kind of right to everything his friends *produce* upon that subject, may perhaps like to see it, and you can send it to him without reading it.

We have at length signed our preliminary articles as definitive, all the additions we have been so long discussing being referred to a future treaty of commerce. I have now a little leisure, and long to see and be merry with the club, but doubt I cannot undertake the journey before spring. Adieu, and believe me ever, my dear friend,



PRIESTLEY.

P. S. They make small balloons of the same material with what is called goldbeaters' leaf. Inclosed I send one which, being filled with inflammable air by my grandson, went up last night to the ceiling in my chamber, and remained rolling about there for some time. Please to give it also to Sir Joseph Banks. If a man go up in one of the large ones, might there not be some mechanical contrivance to compress the globe at pleasure, and thereby incline it to descend, and let it expand when he inclines to rise again?

A second letter from Sir Joseph Banks, written on the 28th of November, describes the ascent of a miserable taffeta balloon in London, in the last week of November. It was made of oil-silk, and filled with hydrogen. In the same letter, Sir Joseph acknowledges Franklin's attention in sending him the "procès verbal on Montgolfier's experiment." He refers also to the aerial voyage of Pilâtre de Rozier and the Marquis

d'Arlandes, and he pays to Franklin this compliment:—

“I laughed when balloons of scarcely more importance than soap-bubbles¹ occupied the attention of France. But when men can with safety pass and do pass more than five miles in the first experiment, I begin to fancy that I espy the hand of the master in the education of the infant of knowledge, which so speedily attains such a degree of maturity, and do not scruple to guess that my old friend, who used to assist me when I was younger, has had some share in the success of this enterprise.”²

On the 9th of December, Sir Joseph Banks wrote the following letter:³—

Joseph Banks to B. Franklin.

SOHO SQUARE, Dec. 9th, 1783.

DEAR SIR,—The friendship, which I have experienced from you in your so speedily sending me accounts of the new art of flying, which makes such rapid advances in the country you now inhabit, I beg to acknowledge with real gratitude. I wish I had more than gratitude to communicate in return; but a time must come, when I shall be able to repay the debt you have accumulated upon me, with so much friendly perseverance, and believe me, I shall do it with a grateful pleasure. The experiment of M. Charles seems decisive, and must be performed here in its full extent. I have hitherto been of opinion that it is unwise to

¹ Cavallo had sent up soap-bubbles filled with hydrogen as early as 1772. John Adams, without knowing of Cavallo's experiment, makes the same suggestion at a later date.

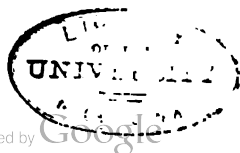
² The whole letter is in SPARKS, x. p. 32.

³ Now published for the first time.

struggle for the honor of an invention, which is absolutely effected. Practical flying we must all allow to our rivals; theoretical flying we claim to ourselves. Bishop Wilkins, in his *Mechanical Magic*, has, as I am informed (for I have not yet got the book) a proposal for flying by means of a vessel filled with rarefied air, and Mr. Cavendish, when he blew soap-bubbles of his inflammable air, evidently performed the experiment which carried Charles the memorable flight of the 1st instant. When our friends, on your side of the water, are cooled a little however, they shall see that we will visit the repositories of stars and meteors, and try if we cannot derive as much knowledge by application of Theory to what we find in the armories of heaven, as they can do.

Mr. Mitchell has given us a very curious paper, in which he considers light as subject to the power of gravitation like all other bodies. If so, says he, should there be any material difference in the magnitude of the fixed stars, the light of the large ones would move more slowly, and in consequence be liable to a different refraction from that of the smaller ones; but no such thing being observed with our best telescopes, we have a right to judge them not varying from each other in any immense quantity of magnitude, for was any one to be one hundred times larger than another, the difference would be discernible.

We are told that a man has prepared wings at a very considerable expense, indeed, they say one thousand pounds; that the models upon which they are constructed have flown, and that the reality now in London, but packed up in a box, should by a comparative calculation carry one hundred and fifty pounds more than the man.



The machine consists of four wings, two of which beat, while the other two are drawn back. Some people, whose opinion in Mechanics is looked upon as authority have said that they must succeed.

I am, dear sir,
with real gratitude and sincere thanks,
Yours faithfully,

Dr. Price, in acknowledging Franklin's letter to him, says, "The discovery of air balloons seems to make the present time a new epoch, and the last year will, I suppose, be always distinguished as the year in which mankind began to fly in France. Nothing has yet been done here in this way of any consequence."

The following passages found among Franklin's papers refer, at different dates, to the great invention:—

Franklin to Laurens.

DEC. 6, 1783.

We think of nothing here at present but of flying. The balloons engross all conversation. Messrs. Charles and Robert made a trip last Monday through the air to a place farther distant than Dover is from Calais, and could have gone much farther had there been more wind and daylight. They have perfect command of the machine, descending and rising again at pleasure. The progress made in the management of it has been rapid, yet I fear it will hardly become a common carriage in my time, though, being the easiest of all Voitures, it would be extremely convenient to me, now that my malady forbids the use of the old ones over a pavement.

To John Ingenhausz.

PASSY, 16 January, 1784.

DEAR FRIEND, — I have this day received your favor of the 2nd inst. Every information in my power, respecting the balloons, I sent you just before Christmas, contained in copies of my letters to Sir Joseph Banks. There is no secret in the affair, and I make no doubt that a person coming from you would easily obtain a sight of the different balloons of Montgolfier and Charles, with all the instructions wanted; and, if you undertake to make one, I think it extremely proper and necessary to send an ingenious man here for that purpose; otherwise, for want of attention to some particular circumstance, or of not being acquainted with it, the experiment might miscarry, which, in an affair of so much public expectation, would have bad consequences, draw upon you a great deal of censure, and affect your reputation. It is a serious thing to draw out from their affairs all the inhabitants of a great city and its environs, and a disappointment makes them angry. At Bordeaux, lately, a person pretended to send up a balloon, and had received money from many people, but not being able to make it rise, the populace were so exasperated that they pulled down his house, and had like to have killed him.

It appears, as you observe, to be a discovery of great importance, and what may possibly give a new turn to human affairs. Convincing sovereigns of the folly of wars may perhaps be one effect of it, since it will be impracticable for the most potent of them to guard his dominions. Five thousand balloons, capable of raising two men each, could not cost more than five ships of the line; and where is the prince who can afford so to

cover his country with troops for its defence, as that ten thousand men descending from the clouds might not in many places do an infinite deal of mischief, before a force could be brought together to repel them? It is a pity that any national jealousy should, as you imagine it may, have prevented the English from prosecuting the experiment, since they are such ingenious mechanicians, that in their hands it might have made a more rapid progress toward perfection, and all the utility it is capable of affording.

The balloon of Messrs. Charles and Robert is really filled with inflammable air. The quantity being great, it was expensive, and tedious filling, requiring two or three days and nights constant labor. It had a *soupape*, or valve, near the top, which they could open by pulling a string, and thereby let out some air when they had a mind to descend; and they discharged some of their ballast of sand when they would rise again. A great deal of air must have been let out when they landed, so that the loose part might envelope one of them; yet, the car being lightened by that one getting out of it, there was enough left to carry up the other rapidly. They had no fire with them. That is used only in M. Montgolfier's globe, which is open at bottom, and straw constantly burnt to keep it up. This kind is sooner and cheaper filled; but must be of much greater dimensions to carry up the same weight; since air rarefied by heat is only twice as light as common air, and inflammable air ten times lighter. M. Morveau,¹ a famous chemist at Dijon, has discovered an inflammable air

¹ Guyton de Morveau, L. Bern, born 1737, died 1816. An accomplished professor of chemistry at Dijon. He was afterward a member of the Legislative Assembly and of the Council, a professor in the Polytechnic School, a member of the Institute, and Baron of the Empire.

which will cost only a twenty-fifth part of the price of what is made by oil of vitriol poured on iron filings. They say it is made from sea-coal. Its comparative weight is not mentioned.

I am as ever, my dear friend,
Yours most affectionately,

Franklin to an Unknown Person.

PASSY, Feb. 14, 1784.

SIR,—I received the three Letters you did me the honour of writing to me on the subject of the Aerostatic Machines and the means of directing their Motions. The Academy of Sciences, having appointed a Committee to consider the Subject, I thought I could not better dispose of your Papers than by communicating [them] to that learned Body, especially as I have too much business on my hands to permit my giving that Attention to the Examination of your ingenious Project which its importance demands.

Franklin to Mr. Le Roy.

PASSY, Feb. 25, 1784.

. . . Show if you please what he says of the Balloons to M. Montgolfier. I long to see you, being ever,

Yours most affectionately,

B. FRANKLIN.

On Thursday, the 15th of July, 1784, Franklin writes in his journal, "The Duke de Chartres's balloon went off this morning from Saint Cloud, himself and three others in the gallery. It was foggy, and they were soon out of sight, but the machine being disordered, so that the drop or valve could not be opened to let out the expanding air, and fearing that the balloon would

burst, they cut a hole in it, which ripped larger, and they fell rapidly, but received no harm. They had been a vast height, met with a cloud of snow, and a tornado, which frightened them."

This last experiment attracted the especial attention of Paris, because the Duke de Chartres was to ascend. The brothers Robert had constructed their balloon at his expense. The account of Grimm-Diderot says that all Paris was willing to pass three successive nights in the streets, for fear of losing sight of the experiment. No one knew exactly which day the ascent was to take place. It was known that it was to be early in the morning. But these inconveniences, and "*la fatigue de toiles,*" did not keep the prettiest women at home. A great many of them had courage enough to pass the whole night on the place of experiment. It finally took place at eight o'clock, on the morning of Thursday the 15th. That part of the park where the balloon was filled is called the Place of Twenty-four Fountains. It is a superb basin above the orangery, surrounded by a great amphitheatre of turf, which was covered on top and on its sides by a most beautiful verdure. "This magnificent amphitheatre, crowded by an immense throng of spectators, who were watching one of the greatest wonders of human industry, recalled to us all that the ancients said of the brilliant spectacles at their Olympian games."

The account goes on in these words: "Nothing can be thought of lighter, more magical, more elegant, or more noble at once, than the form of this new aerial car. Two young women—they were the Mesdames Robert—held the two strings which were to guide it when it rose from the orangery above the basin. The form of the aerostat was cylindrical, but the cylinder

ended at each end by two hemispheres of twenty feet in diameter. This shape had been preferred as presenting the smallest possible surface to the resistance of the air, without altering its capacity. In the middle of the aerostat, the Messieurs Robert had hung a balloon which was to contain atmospheric air. Of this the object was, that in the expansion of the hydrogen, it might press out the atmospheric air of the interior balloon. A pair of bellows was placed in the gallery, and it was supposed that they could fill the interior balloon again with atmospheric air, and so obtain an excess of weight in proportion to what they should pump in. They supposed that, when they were once in equilibrium by this means, they could mount or descend without losing their inflammable gas.

“They expected to direct their machine with oars which had a surface of twelve feet, connected with a lever ten feet long, and placed on the gallery, while, at the other end, a rudder of fifty-four superficial feet was to guide it. The gallery itself was a rectangle, in the midst of which was a sort of blue tent, richly decorated, and surmounted with a golden eagle. You would have said that the four travellers had had half a century in which to occupy themselves in perfecting this marvellous art, if you judged by the grace and elegance with which this machine was constructed, or the readiness and ease with which it rose from the earth as soon as they gave the signal for departure. The passengers were the Duc de Chartres, the two brothers Robert, and one of their relatives.

“Brilliant and elegant as was this new car, and short as was its flight from its rising to its descent, no one of our aerial expeditions had been more dangerous, for these were the first of our aeronauts who had the

experience of a real tempest, and, we may say, were really in danger of suffering shipwreck."

The ascent began at 7.42. The balloon rose rapidly, and met a sudden gale. The inner balloon, charged with air, pressed so heavily against the orifice by which the hydrogen was to escape, that they seem to have feared that they should rise so high that they could not return. In fact, they did rise to a point where the mercury of the barometer fell to twenty-two inches and eleven lines, which gave, according to their calculations, a height of eight hundred and thirty *toises*. M. de Chartres then pierced the hydrogen balloon with one of the standards, and made two holes in it. They descended very promptly: when the descent began, they could see neither sky nor earth; but very soon after, they saw the country beneath them, and recognized a woman taking care of cows, who fled with terror. They would have descended in the middle of a pond; but, throwing out sixty pounds of sand, they rose again, far enough to land a little way from its shore. No one was hurt in the descent.

It need not be said that this sudden rise and descent of the Duc de Chartres was made the subject of endless epigrams by the Paris wits.

The following little allusions to the new discovery appear among the manuscripts without dates:—

[Franklin's own writing, with corrections by him.]

GENTLEMEN, — It is said that the chemists are making every effort to discover an air which is lighter and more expansive than the inflammable gas now used to fill Aerostats (the name given to balloons by our learned academies).

It is singular, indeed, that men as enlightened as

these of our age are constantly making researches in art, for that which nature is all the time offering to everybody, and that a fool like me should be the first to suggest the application of it.

I shall not demand any recompense from Government nor any exclusive privilege. If you wish to fill your balloons with a material ten times lighter than inflammable air, you will find it in great quantity in the Promises of Lovers and Courtiers; in the sighs of widowers, in the good resolutions made in a storm at sea, and in sickness on land, and above all, in the compliments contained in Letters of Recommendation.

I am &c.

UNE ABONNÉE.

[*No date.*]

"I have received the charming little note of my good little Pocket Wife. I have not forgotten her, as she thinks, although my every silence gives semblance to this idea; but I have been so much embarrassed by business of all kinds that I have not been able to write letters to my friends. Nevertheless I have often thought of you, and of your old friendship for me, with the most lively sentiments of esteem and affection. You were very brave to mount so high in the air by the balloon. And you were very good that, being so near the beams, you did not think of leaving us and remaining with the angels. I embrace you tenderly and wish you all sorts of happiness."

A note of Jefferson's from Paris, of the date of Oct. 8, 1785, may close this series of prophecies, which proved too hopeful: —

"Two artists at Javil, about four miles hence, are pursuing the art of directing the balloon. They ascend

and descend at will, without expending their gas, and they can deflect forty-five degrees from the course of the wind, when it is not very strong. We may certainly expect that this desideratum will be found. As the birds and fish prove that the means exist, we may count on human ingenuity for its discovery."

In the beginning of the year 1785, Dr. Franklin and the other gentlemen of the legation had to welcome and felicitate their young countryman, Dr. Jeffries, who had successfully crossed the English Channel with Blanchard, a French adventurer, who had been exhibiting himself and his balloon in England with Lunardi. Jeffries had induced Blanchard to cross the Channel, and had assumed the cost of the expedition. This was very large. All the apparatus and chemicals were transported from London to Dover; and Blanchard was, evidently, no economist. On a previous ascent, Jeffries had paid him one hundred guineas for the privilege of accompanying him.

They made the passage successfully on the 9th January, rising from Dover, and descending at Guines. The spot where they descended is now marked by a monumental column. They repaired at once to Paris; and from Dr. Jeffries's journal, it appears that they were received with enthusiasm. He was presented at Court with his fellow-adventurer, was applauded at the opera and other public places, dined with the British ambassador.

The following notes from the diary show the attentions which they received from the American legation:—

JAN. 14. Went to the Museum, visited M. Pilatre de Rosier.¹ This morning received very polite letter from

Mr. [William Temple] Franklin, Mr. Williams, and at an entrance into the lecture room we were received by repeated shouts of applause and clapping of hands, *encore et encore*. . . .

JAN. 15. Dined with Dr. Franklin at Passy and number of ladies and gents. . . .

JAN. 22. Went out to Passy, a most delightful situation. Dined with Le Docteur and Mons. Franklin at Passy. Met there Mr. Jona. Williams, Dr. Bancroft, and the celebrated and brave commodore Paul Jones, from whom I received many compliments on my enterprise, and returned them, he deserving them much more than me. . . .

JAN. 31. Walked out to Passy, and dined very pleasantly with Messrs. Franklin and Williams. Very kindly received. . . .

FEB. 3. Evening, at nine, Mr. Franklin called on me, and carried me and introduced me to Madame Morrell where I was most kindly received.

[They all went to a masque ball together.] After long time I found out my lovely Mad. Morrell and Mad. Villars, with whom and Mr. Franklin I left the ball at four o'clock. What would I not give to be able to transport such easy engaging manners, joined with such wit and delicacy, to England. Mr. Franklin told me that he had again met the Duke of Dorset [the English ambassador], at Versailles on Tuesday, and had again talked with him about me, and that his Grace had said he would most willingly do any thing for me I would point out. Mr. F. mentioned to him that it would, he thought, be useful to me for his Grace to write to the minister and recommend some pension or such like for me from government. Mr. Franklin said he had wrote to his father the Governor, desiring him to hint to Mr.

Blagden, the Secretary of the Royal Society, that he should make me a member, free of all expense. Met Com. Paul Jones at the opera masque ball; *apropos repartees*. . . .

FEB. 11. Walked out to Passy, and dined with Dr. Franklin. Very kindly received and entertained by him, and very pleasant conversation. Evening Mr. Franklin brought me to town in his chariot, and said he would again speak to the Duke of Dorset and his Secretary, requesting their writing in my favor to England. Engaged me to dine there on Monday next, to meet the Marchioness and Marquis de Fayet, Mr. Adams, Lord Mount Morris &c. &c. . . .

FEB. 14. Dined at Passy, with the American ambassador, Dr. Franklin; met there his Excellency, John Adams, Esq. his lady and daughter, all of whom were very civil to me; Lord Mount Morris, who was very uncommonly attentive and civil to me all the time; the Marquis and Marchioness of Fayet a fine affable lady; Mrs. Bingham, a very genteel American from Philadelphia¹ and Mr. Bingham; Col. Humphreys, late aid-de-camp to Gen'l Washington, now a commissioner from America; Mr. Jon. Williams, a Mrs. Boadley, &c. and several other gents of rank and note; Commodore Paul Jones who was very attentive, candid, and complimentary to me, and who brought me to Paris in his chariot. Talked with Dr. Franklin about the Duke of Dorset, and he advised me to call on the Duke to-morrow, make use of his name, and ask of his Grace a letter from him to the minister in England, Mr. Pitt. Took leave of the venerable old Dr. and received many compliments, with his best wishes &c.

¹ A lady still remembered in Philadelphia, and, indeed, elsewhere.

A student named Layne — whose name, alas! appears in no biographical dictionary — writes to Franklin at this period to say that he has invented a flying-machine. "It does not at all resemble M. Blanchard's and will be much more simple." It will only cost ten livres (two dollars), which he begs Franklin to advance.¹

In a letter written some years after, Franklin says that Jeffries was introduced to him by a letter brought from London, which was the first letter ever carried across the Channel in a balloon.

¹ The letter is without date. It is No. 174, vol. 40, in the Philosophical Society's collection.

CHAPTER XV.

MESMER.

FRANKLIN'S connection with the investigation made with regard to Mesmer is so curious, and involves so much detail, that it seems more convenient to speak of it in a separate chapter.

It is rather interesting to observe, that, though Mesmer came to Paris with his theory or invention as early as the year 1778, either Paris was engaged with other affairs, or Mesmer had not discovered the knack of interesting it. He produced little effect on its rather sensitive observation at that time, and it was not until 1784 that he and his theory of "animal magnetism" became the fashion. In the mean time he had gone to London, without more success there. He said himself that he had, before this, attracted a great deal of attention at Vienna, and even that he had been expelled from Vienna by the Court.

It has been found that his thesis, when he took a degree in medicine in 1766, was "On the Influence of the Planets in the Cure of Diseases." He then used the phrase "animal magnetism" in an effort to prove that the heavenly bodies act upon living beings by means of a subtile fluid. He published this thesis; and afterward, having taken from a Jesuit father named Hell the notion that the sick could be cured by magnetic steel tractors, he practised with them, finding some analogy between Hell's theories and his own astronomical fancies.

Some persons said that they were cured, and the Vienna journals of 1774 show that his experiments attracted some attention. "A letter to a foreign physician" has been found, which he printed in 1775. The Elector of Bavaria named him as an associate member of the academy at Munich. He established a sort of hospital in Vienna. But the scientific societies paid no heed to his requests to them to examine his investigations; and in 1778 he left Vienna for Paris, where, as it proved, he found more favorable ground. In Paris it was said that his removal from Vienna was connected with some scandal, in which the imperial court interfered, and finally expelled him.

But, as has been said, Paris had no welcome for him in 1778, more than Vienna. He tried his fortunes in London with as little success. It was not till his reappearance in 1784 that he succeeded in attracting the attention of Paris. The war was well over, the balloons were no longer a novelty, and the eager Parisians made Mesmer and his *baquet*¹ the wonder of the day. He began by arranging *séances*, as they were even then called, on such a scale, and with such effect, as challenged attention. Paris thought the thing was new, whether it were new or not, and interested itself heartily.

It will be interesting to the reader to see the earliest account of it, which was given in the Grimm-Diderot correspondence. These writers, with their easy cynicism, begin by speaking of it with great contempt. As time goes on, they use more favorable language.

In May, 1778, they wrote contemptuously, —

"What has most injured the new thaumaturgy is that the world finds in him so little of imagination or *esprit*.

¹ A *baquet* is simply a little tub, rather smaller than that usually used for washing dirty clothes.

Now this age is so corrupt that without an advantage, once so unnecessary, even the workers of miracles must not hope to make fortunes to-day. . . . Mesmer believes that there is a principle in nature, unknown till this time, which acts upon the nerves; that, by means of this principle, and according to special mechanical laws, there is a mutual influence between animated bodies, the earth, and the heavenly bodies; that there are, therefore, to be observed in animals, and especially in man, properties analogous to the magnet. He has found the secret of employing this 'animal magnetism' in the treatment of diseases, and by this method he pretends to cure almost all of them. The magnetic power can be communicated and propagated by other bodies.

"This subtle matter penetrates walls, doors, glass, and metal, without losing its power perceptibly. It can be accumulated, concentrated, and carried about in water and in glass, and reflected by mirrors. It is propagated, communicated, and augmented by sound. All this is perhaps not very clear; but what is shown very clearly by all the experiments unsatisfactory to our Doctor, — and a truth which he has never failed to add to the exposition of his principles, — is that there are some bodies which not only are unsusceptible to animal magnetism, but which even have a power entirely opposite, by which they can destroy all the efficacy of magnetism in other bodies. This power can be communicated as well as its rival.

"The Doctor complains that he has found many such bodies in Paris, and this appears probable enough.

"Are not all those cold and egotistical souls which abound in this immense capital more than anywhere else in the world, united to bodies of just so unsusceptible a nature?"

We find no reference in Franklin's letters to any interest in Mesmer or his discoveries until the time when Mesmer re-appeared in Paris in 1784, after his unsuccessful visit in England. In a letter written by him then to M. de la Condamine,¹ Franklin says, —

“ You desire my sentiments concerning the cures performed by Camus and Mesmer. I think that, in general, maladies caused by obstructions may be treated with electricity to advantage. As to the animal magnetism, so much talked of, I must doubt its existence till I can see or feel some effect of it. None of the cures said to be performed by it have fallen under my observation, and there being so many disorders which cure themselves, and such a disposition in mankind to deceive themselves and one another on these occasions, and living long has given me so frequent opportunity of seeing certain remedies cried up as curing everything, and yet soon after totally laid aside as useless, I cannot but fear that the expectation of great advantage from this new method of treating diseases will prove a delusion. That delusion may however, and in some cases, be of use while it lasts. There are in every great, rich city a number of persons who are never in health, because they are fond of medicines and always taking them, whereby they derange the natural functions, and hurt their constitution. If these people can be persuaded to forbear their drugs, in expectation of being cured by only the physician's finger, or an iron rod pointing at them, they may possibly find good effects, though they mistake the cause. I have the honor to be, Sir, &c. &c.”

¹ La Condamine was probably the son of an astronomer and traveller of some distinction, who was one of the commissioners who measured the arc of the meridian by the order of the French Government. The father died in 1774.

The cases on which Franklin's opinion had been invited by Condamine are such as are described in the following passages from Binet and Féré's history. The reader is not following the satire of the Grimm-Diderot writers, but the more serious study of science :—

“All the world wished to be magnetized, and the crowd was so great that Mesmer employed a *valet toucher* to magnetize in his place. This did not suffice; he invented the famous *baquet*, or trough, around which thirty or more persons could be magnetized simultaneously. A circular oaken case, about a foot high, was placed in the middle of a large hall, hung with thick curtains, through which only a soft and subdued light was allowed to penetrate; this was the *baquet*. At the bottom of the case, on a layer of powdered glass and iron filings, there lay full bottles, symmetrically arranged, so that the necks of all converged toward the centre; other bottles were arranged in the opposite direction, with their necks toward the circumference. All these objects were immersed in water, but this condition was not absolutely necessary, and the *baquet* might be dry. The lid was pierced with a certain number of holes, whence there issued jointed and movable iron branches, which were to be held by the patients. Absolute silence was maintained. The patients were ranged in several rows round the *baquet*, connected with each other by cords passed round their bodies, and by a second chain, formed by joining hands. As they waited a melodious air was heard, proceeding from a piano-forte, or harmonicon, placed in the adjoining room, and to this the human voice was sometimes added. Then Mesmer, wearing a coat of lilac silk, walked up and down amid this palpitating crowd, together with

Deslon and his associates, whom he chose for their youth and comeliness. Mesmer carried a long iron wand, with which he touched the bodies of the patients, and especially those parts which were diseased; often, laying aside the wand, he magnetized them with his eyes, fixing his gaze on theirs, or applying his hands to the hypochondriac region and to the lower part of the abdomen. This application was often continued for hours, and at other times the master made use of *passes*. He began by placing himself *en rapport* with his subject. Seated opposite to him, foot against foot, knee against knee, he laid his fingers on the hypochondriac region, and moved them to and fro, lightly touching the ribs. Magnetization with strong currents was substituted for these manipulations when more energetic results were to be produced. 'The master, erecting his fingers in a pyramid, passed his hands all over the patient's body, beginning with the head, and going down over the shoulders to the feet. He then returned again to the head, both back and front, to the belly and the back; he renewed the process again and again, until the magnetized person was saturated with the healing fluid, and was transported with pain or pleasure, both sensations being equally salutary.'

The interest in the *séances* now engaged people of great importance. Then, as now, no person was permitted to practise medicine in France without some authority from the government. Mesmer had associated with himself Deslon, who was the first physician of the Count d'Artois, and had faith in Mesmer's discoveries. His quarrels with Mesmer, as to the funds to be received from subscribers, make a considerable part of the scandals of the history. Deslon urged the Faculty

of Medicine to summon a general meeting to examine his observations and twenty-nine "propositions," which had been laid down by Mesmer. The meeting showed no sympathy with him, and even threatened him with expulsion.

The Court finally took action, and appointed a commission to examine the pretensions of Mesmer and Deslon, consisting of four members of the Academy of Sciences, and four of the Faculty of Medicine. Another commission was appointed, of members of the Royal Society of Medicine. They made a separate report, which has been sometimes improperly confounded with the other.

It is now time for the Grimm-Diderot correspondents to go about with the tide, and to write more favorably. In April, 1784, these writers say, with much more sympathy than six years before, —

"M. Mesmer could not have chosen a more favorable moment for publishing his last memoir on the discovery of animal magnetism. The public attention has never yet been fixed with so much sympathy on this admirable discovery, till now; since certain persons, whose opinion is of great weight, have declared in its favor, magnetism occupies every one. We are surprised at its wonders, and if some people do doubt regarding the effects, more or less salutary, produced by this new agent, no one longer dares to doubt its existence. There is a general agreement on the singular wonders of its power.

"More than one hundred persons, of all orders of society, have united to purchase from the Sieur Mesmer his secret and processes at the very moderate price which, some years ago, he proposed to the government.

This is a hundred thousand livres, and, in this plan, each subscriber pays a hundred louis. Twelve lessons are enough for an initiation into these new mysteries, but no one can be admitted without the consent of those who have already subscribed. The Chevalier du Chastellux is the first president of the committee. Among the adepts are some academicians, many physicians, and persons well known to the city and the Court, such as M. de Noailles, M. de Montesquieu, M. de la Fayette, M. de Gouffier, M. de Puységur, etc.

"The memoir whose title we have given gives no theory with regard to magnetism. It only offers a few metaphysical propositions, which are a good deal involved, and which seem like the old reveries of cabalistic science. We find again the statement of the influence of the celestial bodies on animated bodies; we are told that the universal fluid is the medium of this influence; we are also told that reciprocal action is governed by mechanical laws, not at present understood, and that its effects must be considered as a flux and a reflux.

"The latter part of the pamphlet is given simply to an explanation of the causes of Mesmer's departure from Vienna in 1777. It is to be supposed that we owe to the arrival here of Mademoiselle Paradis a passage in the pamphlet in which the history of this young virtuoso occupies the first rank."

After a hundred years, we need not go into the details, more or less involved, regarding Mademoiselle Paradis.

The Grimm-Diderot letter goes on with the description of a quarrel which seems to have made a great deal of excitement at the time, but is now scarcely worth disinterring, between Mesmer and his pupil Deslon.

Each of these had his own train of several literary women ; and one authority says that the Mesmer literary women were more important, and had more distinction, than those of Deslon : —

“Neither master nor disciple worked any cures ; but every day pamphlets came out, on one part or the other, which amused the public and piqued its malignity, and gradually brought about a certain curiosity which had not been excited up to this time, by the importance of the new discovery. If, on one side, the battle between the two chiefs called attention to magnetism, the division, on the other, caused some ridicule as to the doctrine itself ; and the rivalry of the two masters, by compelling them to reduce the rate charged for instruction in the new science, brought down to almost nothing the pecuniary profits of the benefits which they expected to administer to humanity. Such considerations acted on both master and pupil, and they came to a treaty of peace. Deslon consented to transfer his patients and his treatment to Mesmer’s house, and divide with him the *net product* of a manipulation which seemed to require no cost excepting that of a bowl full of water, and some bits of iron. But this restoration of peace, however necessary it was to keep up the profits of animal magnetism, could not last long. It proved impossible to make any plan of union which should keep the peace between the women who worked on the reputation of Deslon and that of Mesmer in rivalry with each other. Nothing would make them give up their pretensions. The Mesmeriennes only admitted the Desloniennes into any company by a certain condescension. There was no use in a truce between the masters ; the followers kept up a bitter tone, which showed itself in every

fashion, and finally ended in scenes which were simply scandalous. These women forced Mesmer and Deslon to separate a second time, and once more the journals were filled by their mutual recriminations.

"We are now just at the moment when the problem will be solved, and Europe, which, for twelve years, has been hearing talk about animal magnetism, will know whether it is to crown the new Paracelsus or to send him to the pillory. The hundred thousand livres have been collected, the money is in the hands of a notary, more than a hundred people of all ranks of life will be instructed in the existence of animal magnetism, and the processes by which Mesmer works his miracles. On the other hand, Deslon has succeeded in persuading the government to name a commission to examine the theory and his processes. This commission will be composed of three physicians, named by the Faculty, four members of the Royal Society, and four academicians from the Academy of Sciences. This movement on the part of Deslon certainly confirms the impression that there is such a universal agent as he talks about. The public is waiting with patience the result of the work of this commission."

The commission, as finally constituted, consisted of Franklin, who signs first in the final report; Majault; Le Roy, a correspondent and friend of Franklin; Sallin; Bailly, the astronomer, afterwards mayor of Paris, who finally drew the report, perhaps because Franklin did not trust his own French; D'Arcet, a chemist then celebrated; De Bory, a mathematician, naval officer, and astronomer, who was a member of the academy; Guillotin, the same who invented the machine which bears his name; and Lavoisier.

Thus authorized, the commission attended with assiduity to the duties intrusted to them. The reader has already seen that Franklin was not prejudiced in favor of the supposed discovery. But he interested himself in the inquiry, and seems, from all the memoranda of the time, to have been regarded as a leading member of the commission. Some of the sessions were held in his house ; and, in one notable case, M. Deslon magnetized one of the trees in his garden. This particular case is one which was frequently referred to. A boy of twelve years old, very sensitive to magnetism, was brought toward the tree with his eyes bandaged. At the first tree, the second, and the third, he trembled and turned giddy ; but at the fourth, when he was still at a distance of twenty-four feet from the magnetized tree, the crisis occurred ; his limbs became rigid, and it was necessary to carry him to an adjoining grass-plot, before Deslon could recall him to consciousness. This case was cited as showing that the effects were produced, not by the condition of the tree, but by the condition of the boy.

The examinations lasted some weeks ; but the report was presented on the 11th of August, 1784. There accompanied it a secret report to the King, and probably a journal of the observations made. But, if so, this journal was not printed. Nor was the secret report printed at the time.

The public report is a short pamphlet of fourteen octavo pages. It is printed at the royal printing-office by the order of the King. The title of the Academy's edition is, "*Exposé* of experiments made at the examination of animal magnetism. Read to the Academy of Sciences by M. Bailly in his own name, and in that of M. Franklin, Le Roy, De Bory, and Lavoisier, on the

4th September, 1784." The Academy report of 1837 says that De Bory died at the beginning of the undertaking, and that Majault replaced him; but nothing of this appears in the final report, and it seems to be a mistake. Bailly says, "When I say we, gentlemen, I mean the whole commission. There has been no distinction. The work belonged to all of us. We were equally guided by the interests of truth, and were always united and always unanimous. The account which is presented to you is the special report of your *confrères*, but it contains nothing which does not result from the common work of the two companies." Here he refers to the work of the members of the Society of Medicine acting with the Academicians.

The *résumé* is a short, and perhaps it is fair to say, scornful review of their observations, but does not go into any detail. It is rather a discussion of the effects of imitation and imagination. "We said the effects attributed to magnetism and to a fluid which is not manifested take place only when the imagination is roused and perhaps excited. The imagination, then, seems to be the principle. Let us see if we can produce these effects by the power of the imagination alone. We tried to do this, and we succeeded completely. Persons who thought they were magnetized felt pain, warmth, and great heat, when they were not touched, and when no sign had been used. With some subjects, of very excitable nervous temperament, we produced convulsions, and what are known as crises."

The report closed by the well-known decision, to which, on the whole, the world conformed for the greater part of a century. It declares that "l'attouchement, l'imagination, et l'imitation," are the true causes of the effects attributed to this new agent, and that the

imagination is the principal cause of the three. "Imagination" and "imitation" are precisely the same words as in English. Mesmer or Deslon would probably have been satisfied with a statement that *touch* or *attouchement* was a necessary cause. The French word carries with it the complementary sense of feeling by him who is touched, and of the feeling which results from touching, which hardly belongs to the English word. The translator of Messieurs Binet and Féré renders it rather imperfectly by the word "contact."

Bailly could not refrain, at the end of his paper, from the boast, that "magnetism will not be wholly useless to the philosophy which condemns it. It is one more fact added to the history of the errors of the human mind, and it is a great experiment on the powers of the human imagination."

The report as made to the Academy of Science, and printed by it, bears the names mentioned above. In the other document, in which the medical and scientific members join, the final statement¹ ends in these words:—

"The commissioners have ascertained that the animal magnetic fluid is not perceptible by any of the senses; that it has no action, either on themselves or on the patients subjected to it. They are convinced that pressure and contact² effect changes which are rarely favorable to the animal system, and which injuriously affect the imagination. Finally, they have demonstrated by decisive experiments that imagination apart from magnetism, produces convulsions, and that magnetism without imagination produces nothing. They have come to the unanimous conclusion with respect to the existence and utility of magnetism, that there is nothing to

¹ As translated from Binet's and Féré's book. ² *Attouchement*.

prove the existence of the animal magnetic fluid; that this fluid, since it is non-existent, has no beneficial effect; that the violent effects observed in patients under public treatment are due to contact, to the excitement of the imagination, and to the mechanical imitation which involuntarily impels us to repeat that which strikes our senses. At the same time, they are compelled to add, since it is an important observation, that the contact and repeated excitement of the imagination which produce the crises may become hurtful; that the spectacle of these crises is likewise dangerous, on account of the imitative faculty which is a law of nature; and consequently that all treatment in public in which magnetism is employed must in the end be productive of evil results.

“(Signed) B. FRANKLIN,¹ MAJAUULT, LE ROY,
SALLIN, BAILLY, D’ARCET, DE BORY,
GUILLOTIN, LAVOISIER.

“PARIS, August 11, 1784.”

The private or secret report to the King was not, so far as we know, printed at the time. It goes into details, which are perhaps better unpublished, as to the dangers to morals as well as health threatened by the *séances*. This report, as translated from Binet and Féré's book, ends in these words:—

“There are no real cures, and the treatment is tedious and unprofitable. There are patients who have been under treatment for eighteen months or two years, without deriving any benefit from it; at length their patience

¹ The reader will observe that Franklin heads this report, which is the report both of the Academicians and the physicians. This seems to imply that he drew it, or a part of it. But it is in substance the same report with that read to the Academy in September, cited above.

is exhausted, and they cease to come. The crises serve as a spectacle; they are an occupation and interest, and, moreover, they [seem] to the unobservant the result of magnetism, a proof of the existence of that agent, although they are really due to the power of the imagination.

“When the commissioners began their report, they only stated the result of their examination of the magnetism practised by M. Deslon, to which the order of the King had restricted them; but it is evident that their experiments, observations, and opinions apply to magnetism in general. M. Mesmer will certainly declare that the commissioners have not examined his method, proceedings, and the effects they have produced. The commissioners are undoubtedly too cautious to pronounce on that which they have not examined, and with which they are not acquainted, yet they must observe that M. Deslon’s principles are those of the twenty-seven propositions printed by M. Mesmer in 1779.

“If M. Mesmer has enlarged his theory, it thereby becomes more absurd: the heavenly influences are only a chimæra, of which the fallacy has long been recognized. The whole theory may be condemned beforehand, since it is based upon magnetism; and it has no reality, since the animal magnetic fluid has no existence. Like magnetism, this brilliant theory exists only in the imagination. M. Deslon’s mode of magnetizing is the same as that of M. Mesmer, of whom he is the disciple. When we place them together, we see that they have treated the same patients, and, consequently, have pursued the

The report is signed nearly, but not quite, in the order of the age of the commissioners. The reader will remember that, so far as the officers of the Academy know, Franklin presented no paper to the Academy as his own, during his residence in France.

same process : the method now in use by M. Deslon is that of M. Mesmer.

“The results also correspond ; the crises are as violent and frequent, and the same symptoms are displayed under the treatment of M. Deslon and of M. Mesmer. Although the latter may ascribe an obscure and inappreciable difference to his method, the principles, practice, and results are the same. Even if there were any real difference, no benefit from such treatment can be inferred, after the details given in our report and in this note, intended for the King.

“Public report declares that M. Mesmer’s cures are not more numerous than those of M. Deslon. There is nothing to prevent the convulsions in this case also from becoming habitual, from producing an epidemic, and from being transmitted to future generations : such practices and assemblies may also have an injurious effect upon morality.

“The commissioners’ experiments, showing that all these results are due to contact, to imagination and imitation, while explaining the effects produced by M. Deslon, equally explain those of M. Mesmer. It may, therefore, reasonably be concluded that, whatever be the mystery of M. Mesmer’s magnetism, it has no more real existence than that of M. Deslon, and that the proceedings of the one are not more useful nor less dangerous than those of the other.

“(Signed) FRANKLIN, BORY, LAVOISIER,
BAILLY, MAJAUULT, SALLIN,
D’ARCET, GUILLOTIN, LE ROY.

“PARIS, August 11, 1784.”

The Royal Society of Medicine presented their report on the 16th. Jussieu, a nephew of the botanist, dis-

sented. The conclusions were the same as those in the reports of the Academicians.

The reports of the two committees seem to have been practically accepted as final. At least, it is fair to say that the public interest in Mesmer and his associates ceased from this moment. The Court at once issued a decree, which Franklin thus describes : —

P.S. to Letter from Franklin to W. T. Franklin.

Here is their decree of Sept. 6th, 1784.

The Court decrees that Mesmer shall be obliged to show the method which he says he has discovered, before four Doctors of the Faculty of Medicine, two Surgeons and two Masters in Pharmacy and the process which he lays claim to must be followed and practised in order to make the application: of which an official report shall be drawn up here, sent to the attorney-general and reported on, in the court to be ordered, to whom it may concern.

P.S. to Letter from Franklin to W. T. Franklin.

PASSEY, Sept. 8th, 1784.

P.S. Mesmer has complained to the Parliament of our Report and requested that they would appoint Commissioners to whom he might submit the examination of the condition of his patients, not his theory and practice ; but “un Plan qui renfermera les seuls moyens possibles de constater infalliblement l'existence et l'utilité de sa découverte.” The Petition was printed. Many thought that Parliament would do nothing with it. But they have laid hold of it to clinch Mesmer and oblige him to expose all directly. So that it must soon be seen

whether there is any Difference between his art and Deslon's. Voici leur Arrêt de 6 7bre, 1784.

La Cour ordonne que par devant quatre Docteurs de la Faculté de Médecine, deux Chirurgiens et deux Maîtres en pharmacie, Mesmer *sera tenu* d'exposer la Doctrine dont il annonce avoir fait la Découverte et les procédés qu'il prétend devoir être suivis et pratiqués pour en faire l'Application: dont sera dressé Procès verbal pour ici lui communiqué à M. le Procureur Général, et Rapporté en la Cour être ordonné à qu'il appartiendra.

The Grimm-Diderot letter of August, 1784, says, —

“These two reports have made a great revolution in public opinion. The numerous subscribers to Mesmer, whose self esteem is more hurt by the ridicule which the public has thrown upon their credulity than by the money which it has cost them, are almost the only people who believe that it is possible or that it is worth their while to maintain the existence of animal magnetism. As to the inventor of this doctrine, quiet in the midst of the storm which threatens his bark, and very sure of carrying safely into port the produce of a pretended operation which is distinguished forever from things of the same kind by the art with which it is conducted, he remains in the country six leagues away from Paris, occupied with magnetizing a tree which performs greater miracles than all those which he has worked in Paris. But his subscribers trouble his peace and have forced him to renounce an impossibility which makes them ridiculous. They have thought rightly that it was important to their amour-propre to render the fall of magnetism at least more imposing,

and they have tried to check its rapidity by slow legal forms.

“In consequence M. Mesmer has presented a petition to Parliament in which, after piling up recriminations against M. Deslon, he complains very justly that the world has pretended to judge the master, the inventor of this sublime doctrine, by the imperfect experiments of a faithless pupil. He calls on the Court, in the name of that humanity of which he believes himself to be at that moment the minister and the defender, to name to him some magistrates or superiors to whom he can make a report, which shall show the condition of his patients, as stated by their physicians, his own method of treating them, the certificates which shall show the progress either of disease or of cure, verified by persons who command confidence, and he also proposes to submit to these magistrates a plan which shall show the only possible method of proving the utility and reality of his discovery.”

Among the three hundred subscribers who had joined for the fund which enabled Mesmer to conduct his *séances* on so extravagant and elegant a scale, was our friend Lafayette. His name was so prominent at that time, that it is evident that his accession to the number of believers was regarded as important. But he could not stay to witness either the success or failure of the investigation. He was coming to America, on the visit which he made in the year 1784. When he waited at Court to bid farewell to Louis XVI., and take his last orders, the King said to him, “What will Washington think when he learns that you have become the first apothecary’s boy of Mesmer?” But Lafayette was not laughed out of his interest.

We have a letter from Washington, in which Washington acknowledges a letter which Mesmer sent him by the hand of Lafayette:—

George Washington to F. A. Mesmer.

MOUNT VERNON, 25 Nov. 1784.

SIR,—The Marquis de Lafayette did me the honor of presenting to me your favor of the 16th of June, and of entering into some explanation of the powers of magnetism; the discovery of which, if it should prove as extensively beneficial as it is said it will, must be fortunate indeed for mankind, and redound very highly to the honor of that genius to whom it owes its birth. For the confidence reposed in me by the Society which you have formed for the purpose of diffusing all the advantages expected, and for your favorable sentiments of me, I pray you to receive my gratitude, and the assurances of the respect and esteem, with which I have the honor to be, Sir, &c.

We may say, in this connection, that the only reference to Mesmer to be found in Jefferson's works is in a letter of the date of 1791, written just after Franklin's death. In this letter Jefferson says,—

“The animal magnetism, too, of the maniac Mesmer, had just received its death-wound from his hand, in conjunction with his brethren of the learned committee appointed to unveil that compound of fraud and folly.”

Jefferson means that it received this wound just before his arrival in Paris, which was on the 6th of August, 1784. The report of Franklin and the other commissioners was dated the 11th of August, as has been said.

The French Academy's Report of 1837, after citing those of 1784, says, "After this the subject was not for a long time revived. The Revolution and the long war distracted men's mind from questions of this kind. And it was not until 1825 that a physician named Foissac addressed a letter to the Academy of Medicine, asking whether they did not intend to recommence the examination of animal magnetism. This may be said to be the date of the renewal of the discussion."

Mesmer himself remained in the neighborhood of Paris for a while, but never again attracted public curiosity. The Revolution followed so soon that the public could not play with *séances*. He died, "quite forgotten," March 5, 1815, in Meersburg in Swabia, — which is said by some writers to have been the place of his birth. He was born in 1734.

Among the manuscripts in the American Philosophical Society's collection is a note from Thouret, who sends to Franklin his publication on animal magnetism, and addresses him as "Monsieur et très illustre confrère." This was probably Ja. Auguste Thouret, who was for many years director of the École de Médecine, born 1748, died 1810.

CHAPTER XVI.

OTHER CORRESPONDENCE OF 1784.

FRANKLIN had nearly given up any idea of finishing his life in Europe, when the year 1784 began.

He had thought of this, and the frequent death of his old friends in America renewed the thought once and again. But he found travel more and more difficult. He doubted, indeed, whether he could bear the fatigue of a journey to and in England. And, in fact, he never visited that country again, until he stopped in Southampton, in 1785, on his way home. On the 12th of January, in 1784, in writing to Vergennes, he says that his indisposition has prevented his writing earlier. Through the year there are tokens of his suffering from pain, or of anxiety about his health. He wrote to Temple Franklin, on the 16th of August, in 1784, "I did intend returning this year; but the Congress, instead of giving me leave to do so, have sent me another commission, which will keep me here at least a year longer; and perhaps I may then be too old and feeble to bear the voyage. I am here among a people that love and respect me, a most amiable people to live with; and perhaps I may conclude to die among them, for my friends in America are dying off one after another, and I have been abroad so long that I should now be almost a stranger in my own country."

Notwithstanding intimations of the pressure of illness, however, we see that he enjoyed life and society. We

have now, after the havoc of a century, more than fifty of his letters written in this year, and several of them are in his best vein. He felt the relief from the pressure of national affairs, and, in more than one instance, renews old correspondence, as if he were no longer overwhelmed by the requisitions of the post-office, which, as St. Marc Girardin has so well said, make "the burden of modern civilization."

From these letters we select the following, which have not, till now, been printed, and which generally explain themselves. They show how much he enjoyed life and his friends. With Madame Brillon (his "*brillante et belle*") his intimacy was at the nearest, as the reader may judge from a note to her. Madame Brillon, as he said to Carmichael, "is a lady of most respectable character and pleasing conversation; mistress of an amiable family in this neighborhood, with which I spend an evening twice in every week. She has, among other elegant accomplishments, that of an excellent musician; and with her daughters, and some friends who play, she kindly entertains me and my grandson with little concerts, a cup of tea, and a game of chess. I call this *my opera*, for I rarely go to the opera at Paris."

Franklin to Madame Brillon.

[Translation.]

PASSY, March 31st, 1784.

Here, my dear Amie, is one of my grave or dull pleasantries¹ which I send you, hoping that it may perhaps amuse you a little. In which case, you will repay me by giving me, — I dare not say a kiss, for yours are very precious, and you are very chary of them, — but you will

¹ Perhaps the "letter from China," SPARKS, 281.

play for me a "Noel" and that excellent "March of the Insurgents."

B. F.

The draught of the following letter to a lady, also in French, has no address. But this, also, is probably written to Madame Brillon.

Franklin to a Lady.

PASSY, April 8th, 1784.

I have sent you, my very dear child, by M. le Roy, "*Information to those who would remove to America*," as you have requested, and I have enclosed "*Remarks on the Politeness of Savages*." With this note, I send you several other little things which have been printed in the house, as private copies, for our friends only. I beg pardon for having placed with mine, one of yours, which is certainly too pretty to be put in such company. If by accident, you have not lost "*The good and the bad legs*" and the "*Morals of Chess*," you have with these a complete collection of all my trifles that have been printed at Passy. I am very sorry that Madame la Goutte afflicts our dear friend. You know that she has given me good advice often, but unhappily, being to-day too feeble to profit by it, it seems to me I cannot do better than to send it to our friend, to whom perhaps it will be more useful. This lady has given me often much sorrow, but never as much as now that she prevents you from returning to Passy. I will pray for you, and for our poor invalid, since you wish it. But if you are beloved of God as much as I love you, my prayers will be useless and superfluous. And heretic that I am, I do not doubt but He loves such Catholics as you.

Both letters are illustrated by a third, which, in our copy, has no date.

Franklin to Madame Brillon.

I return to you, my very dear child, since you absolutely insist upon it, the rough draft of your pretty fable. I had thought that, in offering to you a prettier edition (which your work well merits) I should gain your permission to retain the original; which I desired, because I love all that comes from your hand. And as my son is also one of your admirers, I had wished by the pleasure of reading it, to pay him for the work of copying it. I have made a mistake. I confess it. But as you have had the kindness to pardon it, I will not again repeat it, — until another occasion. This is the practice of almost all of us sinners.

One of the characters of your fable, viz., the wine,¹ appears to me well carried out, with the exception of her supposition that she has had some part in producing this malady. I believe to the contrary, and this is the way I reason. When I was a young man, and enjoyed more of the favors of the fair sex than now, I did not have any gout. Therefore, if the ladies of Passy would have more of that sort of Christian charity which I have so often recommended to you in vain, I should not have had the gout now. It seems to me that this is good logic.

I am much better, I have little pain; but I find myself very feeble. I can, as you see, joke a little, but I cannot be really gay, without knowing that your precious health is re-established.

I send you my dialogue, in the hope that it may pass away some moments for you.

Many thanks for the three last volumes of Montaigne, which I return.

¹ There is a play on words, from the resemblance of the word *goutte* to the word *gout*.

The visit of your always amiable family last evening made me much better. My God! how I love all from the grandmother and the father down to the smallest child.

Mr. Adams chafed under the inaction which followed the crisis of negotiation. In his old friendly strain, he wrote the following letter, about the failure of Congress or its minister to send any news or instructions. The passage where he says he remembers nothing from Congress "since the peace," is not, as might be supposed, a joking exaggeration. The last letter he had had from the Foreign Secretary, containing any information from America, was dated Dec. 19, 1782.¹

J. Adams to Franklin.

THE HAGUE, July 19, 1784.

SIR, — I have the honour of your letters of the 27th of June and 4th July, and should advise your Excellency to present the C [ount] de Mercy, a copy of the instructions as you propose.

By the length of time, we have been left without information respecting foreign affairs, and by other circumstances, there are greater divisions among our countrymen, respecting these as well as their finances, than are salutary. It is now two years that I have led the life of a spider, after having led that of a toad under an harrow for four years before. But I swear I will not lead one nor the other much longer.

I can't recollect that I have had a letter from Congress since the peace.

I read somewhere when I was young,

"'Tis Expectation makes the Blessing dear
Heaven were not Heaven if we knew what it were."

¹ Diplomatic Correspondence, vii. 8.

But this expectation must not be disappointed continually.

Mr. Hartley will wait too, I apprehend, as long as we, and for my part I humbly propose that we should banish all thoughts of politicks, and begin a course of experiments in Physicks or Mechanicks, of telescopical or microscopical observations. Bertholon and Spalansini, and Needham have so entertained me of late, that I think to devote myself to similar researches.

With great respect, I have the honour to be, Sir,
your Excellency's most obedient humble servant,

Thomas Pownall was the last of the English governors of Massachusetts who enjoyed, in any measure, the respect and confidence of her people. After the peace, he was residing in England; and he was a good deal aggrieved that the administration would not remember, that, with the steadiness of Cassandra, he had forewarned them of every evil in their American policy, and that his advice was spurned. A letter to him, among Franklin's papers, throws so much curious light on the American feeling of that time, that we print it here, though it does not strictly illustrate Franklin's French life, excepting that it was communicated to him by a frequent correspondent. The letter seems to have been written by James Bowdoin.

From James Bowdoin to Pownall.

BOSTON, August 21, 1784.

DEAR SIR, — I have had the pleasure of your letters of the 9th of December and the 11th of January.

The parts of them which respected Harvard College, and the clause of your will bequeathing to the College your Library, I communicated to the President and

Corporation and I am authorized to transmit to you their grateful acknowledgments for the generous bequest: and also for your intended donation of your Pownalborough land. I am sorry to tell you that what I informed you I had heard respecting the sale of that land, is a real fact. The land was sold in 1780 for the non-payment of taxes, and the time for redemption expired in April, or May 1783. Application was made about it to the purchaser, one Christophers, who, insisting on very unreasonable terms, the President and Corporation presented a Memorial to the General Court on the subject. This brought Christophers to Boston, and occasioned several conferences upon it between them and him, which finally issued in an agreement to pay him 300 Spanish dollars, equal to £67.10 sterling, which accordingly has been paid to him by the College Treasurer. As the fee of the land had legally passed to Christophers, this was the best bargain that could be made with him. I am authorized by your letter of the 11th January to pay the taxes and charges for you and draw on you for the amount. But as the money paid for the recovery of the land exceeds that amount by forty pounds I did not think myself warranted to draw on you for it without your expressed approbation. With respect to the commission of Lieutenant or Major-General, I consulted with several confidential friends on the subject, the Lieutenant Governor (and he with the Governor) Mr. Adams, Mr. Osgood, a member of Congress and of our House of Representatives, and several other gentlemen of both Houses: who all expressed a great respect for you, and some of them from personal knowledge. Your political character while Governor here, and since, made them wish to give some honorable mark of their esteem, and particularly to dis-

tinguish you from the Governors which succeeded you: and they could not think of any way of doing it more likely than by such a commission: which they would use their influence to obtain. Thus far the business seemed to be in a good train: But by after-conversations on the subject, it appeared that objections were made: that the law had limited to three the number of Major-Generals (no superior commission, excepting the Governor's, having been conferred) and their commissions had been issued: That their commissions, and all our other military commissions, must have respect to the Militia of the State: that to grant such a commission to the subject of a foreign state would be inconsistent with good policy; and although merely honorary, it would be a precedent, which would encourage and justify the subjects of France of a distinguished character, and subjects of other foreign states, in applying for like commissions, the granting or refusal of which might involve the state in disagreeable consequences, &c. &c.

These objections induced us to think it probable that a motion in either house for such a commission, however well supported, would fail of success. It was therefore determined eligible, that the motion should be postponed: especially as it was your wish that we would not "commit you on uncertainties." However, if the objections can be obviated, it will give me real pleasure to be in any degree instrumental in effecting this measure to your satisfaction.

You mention you had sent me, through the hands of Mr. Adams, one of your pamphlets directed to the Sovereigns of America; but I have not yet received it. I have had one from another gentleman, and have read it with pleasure. There are observations in it which merit the consideration of Congress and the United

States; and to which I hope they will pay due attention.

With the most affectionate regards, I have the honor to be Sir, your most obedient humble servant,

On the 21st of August, Temple Franklin, who had acted, now as private secretary, and now as secretary of legation, since his grandfather was in Paris, crossed to England to see his own father. This was the Tory Governor of New Jersey, "President of the Board of Loyalists," whom Dr. Franklin had, ignorantly, recommended for immediate execution, in his letter about Asgill to Hartley. Temple Franklin carried with him a letter from his grandfather to his father, in answer to one from him, the first which had passed between them for nearly nine years.¹ He says that his wish for his grandson is that he may study law; and he asks the father to give him Blackstone, Coke, Viner, and Bacon, in copies which belong to the grandfather, which William Franklin may be supposed to have done with, and which certainly he had used to very little purpose. It is a pathetic thing to see, that Dr. Franklin has to beg his own son not to introduce the grandson "into company that it may be improper for him to be seen with."

B. Franklin to William Temple Franklin.

PASSY, Sept. 13th, 1784.

MY DEAR CHILD, — I received last night yours of the 7th, and am glad to hear you are quit of your fever. You are well advised to continue taking the Bark. There is an English Proverb that says *An Ounce of Prevention is worth a Pound of Cure*. It is particularly true with regard to the Bark and the intermittent.

¹ He also took a letter to Mrs. Hewson. Both are in SPARKS.

I consent to your going with your Father, and to your Stay in England till the Middle of October.

Don't omit writing to me by every Post. The uncertain State of your Health makes me more anxious to hear from you.

I wrote to you that I had suffered by going in a Carriage to Auteuil. I afterwards had reason to think otherwise, tho' it was not much. It has however, discouraged my repeating the experiment. The Swedish Ambassador has pressed me much to dine this day with him and Prince Henry, but I thought myself oblig'd to refuse him. I walked, however, to Auteuil on Saturday to dine with Mr. A. &c., — with whom I go on comfortably.

I have procured a *Sauf Conduit* for B. and he leaves us to-morrow. Mr. W. will supply his place.

Your Room Floor was all taken up; the Timbers being found so rotten that one might crumble them between the Fingers. New ones are laid in Mortar, and the Whole left open to dry before the Boards are replaced. As your Stay will be longer, we may give more time for the Drying, to prevent your being incommoded by any remaining Dampness.

Get me a Book called *Miscellanea* by Daines Barrington, Esqr.

Give my love to your Father.

Remember me affectionately to all enquiring Friends.

I am ever your loving Grandfather,

M. and Mad. Brillon, with whom I am to breakfast this Morning have charged me with *mille choses* to say to you on their Behalf. Ben sends his love & his Duty to his Uncle.

Mr. le Veillard still continues low and weak.

Once in England, Temple Franklin did not write so promptly as his grandfather wished; and he receives the very sharp letter which we print below, of the date of Oct. 2:—

B. Franklin to William Temple Franklin.

PASSY, Oct. 2nd, 1784.

DEAR GRANDSON,—I have not received a line from you since that of Sept. 7th now near a Month. I have waited with impatience the Arrival of every Post.—But not a Word. All your Acquaintance are continually enquiring what News from you.—I have none. Judge what I must feel, what they must think, and tell me what I am to think of such Neglect; for if your Fever had returned, and you were unable to write, surely your Father or Somebody would have informed me of it. I shall continue however until the Conduct of yours is cleared up, hoping it may be explained to my satisfaction,

Your affectionate Grandfather,

B. Franklin to W. T. Franklin.

PASSY, October 18th, 1784.

MY DEAR CHILD,—I have received yours of the 5th (just after I had sent away mine of the 2nd). It inclosed one from the good Bishop to you. I have since received yours of the 12th. I am glad to hear that Mrs. Hewson resolves to come. My Love to her and her Children. I consent to your Staying till the End of the Month on Condition however of your making a Visit to Chilbolton and bringing me Word of the Welfare of that dear Family. M. le Veillard mends,—but slowly. Our other Friends are well. We have had a Visit from the Count d'Oeills. My Love to

Mr. and Mrs. Sargent &c. I have lately seen in the English Papers an Advertisement of Cast Iron Tiles for Covering Houses. I wish you would bring me one as a Sample with the Price, which if I like I shall take enough to cover my House at Philadelphia and may introduce the use of them there. Your last is the 7th I have received from you of the 10 you mention to have written. I am very well at present, but have had some bad Turns lately. I am ever

Your affectionate Grandfather,

I am charged by several of our Friends to say *mille choses* to you for them.

The following letter is to some Swiss printers, who had proposed to emigrate to America:—

Franklin to Messrs. Wital & Pauche.

PASSY, Nov. 15th, 1784.

GENTLEMEN,—I have attentively consider'd your Project communicated to me in yours of the 24th past and of which you desire my opinion.

I have some Doubts whether you will find your Book Selling and Printing Business sufficiently profitable at first, for the Support of three Families, because the French Language, in which I suppose your Books chiefly are, is not yet much extended in North America. It is however since the Alliance with France daily increasing, Schools being established in all the great Towns for teaching it. But if you can add to the Sale of Books the different Manufactures of your Country, and settle such Correspondence before you leave it as may keep you constantly supply'd with them, it is possible the Gains may be very considerable.

I inclose a little Pamphlet which will give you some information about our Country and if I can be of any Service to you there, it will be a pleasure to

Gentlemen,

À NEUCHÂTEL EN SUISSE. Yours &c.

In the leisure of the year 1784, Franklin renewed that autobiography which has been the delight of the world since it was printed. The first five chapters of it were written in the year 1771, but the pressure of public care afterwards prevented him from going on with it. In the year 1784, letters from Vaughan and James encouraged him to take it up again. In the original manuscript, these letters are copied, as the inducement which he had for the continuation. More than half the narrative was written at this time or soon afterward. It begins with his twenty-fifth year, and ends abruptly, as all readers so long regretted, on his arrival in London, on the 25th of July, 1757. In the last year of his life, after he returned to Philadelphia, he wrote a short additional chapter, which Mr. John Bigelow has added in his edition of the autobiography.

Without any date but that of the year 1784, we have, of Franklin's own literary work, his reflections on the augmentation in wages which will be occasioned in Europe by the American Revolution.

No English draught of this paper has, so far as we know, yet been found. Mr. Sparks translated it from the French of Castereaux, and he translated it from the German of Archenholz's "Minerva," where it had been translated from the French of the "Journal d'Economie Publique." It probably came to that journal through Dupont. It is an essay to show that the independence and prosperity of the United States of America will

raise the price of wages in Europe. In the course of it he calls attention to the high rate of wages in America, and very probably one of his reasons for writing it was to show indirectly to the skilled workmen of Europe the advantages of emigration. Mr. Sparks has published it in his second volume with careful notes by the late Mr. Willard Phillips.

As a part of Franklin's own contribution to the question regarding the Loyalists, his "Apologue" should be read, which has been published long since, describing the relations between King Lion, his faithful dogs, and the mongrels.¹ The claims of the Loyalists are described as the claims of the mongrels, who had been corrupted by royal promises of great rewards, had deserted the honest dogs, and joined their enemies.

The result of the discussion was, that "the council had sense enough to resolve that the demand be rejected."

¹ It will be found in the second volume of SPARKS, at p. 168.

CHAPTER XVII.

NEW TREATIES. — JEFFERSON AND FRANKLIN.

ONE and another solicitation had been made to Franklin for treaties of friendship or for treaties of commerce with different European countries. It was natural, now that independence was secured, that the newly born nation and its several States should wish to open with different parts of Europe that commerce which had been forbidden under the English Navigation Acts. The attention of Congress, therefore, was called from every quarter to the steps necessary for negotiating treaties of commerce. No person pressed this necessity more conscientiously and judiciously than did Lafayette. Those persons who are disposed to regard Lafayette as a mere popinjay, seeking for applause and nothing else, should study his correspondence with Congress and with its agents. At this time he occupied himself very carefully in France, in finding what were the difficulties which prevented the importation of American goods there, and in attempting to remove those difficulties. He pressed his friends in the French administration, who were favorably disposed towards America, and fairly compelled the action of the rather indolent bureaus. His paper addressed to Vergennes in December, 1783, is a very statesman-like memorial. He sends a copy of it to Morris, for the use of Congress, saying that it was intended to

point out the inconveniences of the French trade. "It was therefore my object on the one hand to present them in their worst point of view, and, on the other, to overlook the advantages which that commerce has for that of other nations." He then explains that the memorial is not intended to give a full review of the matter, but to obtain favorable illustrations of the particular points.

In point of fact, this memorial, and the pressure which he brought to bear upon the different departments of the French administration, did secure some advantages for the Americans. But, unfortunately both for America and for France, the wretched system by which the farmers-general collected the revenue was enough to neutralize most of Lafayette's really admirable suggestions. He did not lose sight of the matter through the whole of that summer, — not, indeed, till he sailed for America on his visit of 1784, in the month of June. So soon as he returned to Europe, he brought up this same matter. But, in the next year, he was travelling in North Germany and Austria.

It is clear enough that the matters to be adjusted with France alone required the most delicate and difficult diplomacy. It was to occupy himself in such negotiations, as well as in other duties, that Jefferson accepted the appointment as a joint commissioner with Adams and Franklin in 1784.

Thomas Jefferson had been urged in America, once and again, to act in the diplomatic service. Franklin had met him at Philadelphia in Congress, to which Virginia had appointed him a delegate in 1775. On the 22d of July, of that year, Franklin, John Adams, R. H. Lee, and Jefferson were appointed a committee to consider and report on Lord North's conciliatory

resolutions. The next year, when the necessity of a Declaration of Independence was apparent, they served together again on the celebrated committee which drew the Declaration of Independence. The committee was John Adams, Dr. Franklin, Roger Sherman, Robert R. Livingston, and Jefferson.¹ The committee desired Jefferson and Adams to draw the Declaration.

When the sub-committee met, Adams insisted on Jefferson's preparing the draught, which he did. A few alterations were made in it, at the suggestion of Adams and Franklin; and we owe to Jefferson himself the story of Franklin's anecdote of John Thompson the hatter, which he told Jefferson in the committee-room, when the great charter was under discussion. "I have made it a rule," he said, "whenever in my power to avoid becoming the draughtsman of papers to be reviewed by a public body." His relations with Jefferson seem to have been always cordial from their first acquaintance.

When Franklin was first appointed a commissioner to Paris, Jefferson was named as another. The two were to act with Silas Deane, who was on the spot.

¹ John Adams gives the following account of Jefferson's appointment on this committee: "Mr. Jefferson came into Congress in June, 1775, and brought with him a reputation for literature, science, and a happy talent for composition. Writings of his were handed about, remarkable for a peculiar felicity of expression. Though a silent member in Congress, he was so prompt, frank, explicit, and decisive upon committees and in correspondence, — not even Samuel Adams was more so, — that he seized my heart; and upon this occasion, I gave him my vote, and did all in my power to procure the votes of others. I think he had one more vote than any other, and that placed him at the head of the committee. I had the next highest number, and that placed me the second. The committee met, discussed the subject, and then appointed Mr. Jefferson and me to make the draught, I suppose because we were the two first upon the list."

Jefferson, however, declined the appointment. In 1781 he was again appointed one of the commissioners to negotiate for peace, but he again declined. Franklin expressed to him his regret in the following note,¹ which he wrote when he supposed Sir William Jones was going to make the voyage to America:—

Franklin to Jefferson.

PASSY, July 15, 1782.

DEAR SIR,—I was in great Hopes when I saw your Name in the Commission for treating of Peace, that I should have had the Happiness of seeing you here, and of enjoying again in this World, your pleasing Society and Conversation. But I begin now to fear that I shall be disappointed, as I was in my expectation of your Company, when I first undertook the voyage hither. —

Mr. Jones, who possibly may have the honour of delivering this into your hands, is a particular Friend of mine, and a zealous one of our Cause and Country. I am sure you will be pleas'd with his Conversation, and therefore I make no Apology for recommending him to your Civilities. His Fellow Traveller too, Mr. Paradise, an amiable and worthy Character, will merit, your Regards. He has affairs in Virginia, in which affairs possibly your Counsels and Countenance may be of use to him, & which I therefore beg you would afford him. If in anything I can render you or your Friends any service here, you will do me a Pleasure in commanding freely.

But in 1784, when, on the 7th of May, Jefferson was appointed a commissioner to join Dr. Franklin and

¹ From the valuable autograph collection of Mr. John Mills Hale of Phillipsburg, Penn.

Mr. Adams in negotiating treaties of commerce with the European powers, he accepted the appointment. He sailed from Boston on the 5th of July, and arrived in Paris on the 6th of August. The voyage itself was not without events, which Jefferson did not forget afterwards. From the time of his arrival he is a member of the circle which surrounds Franklin, and his letters give some local color in the picture of Franklin's life.

The following letter came to him in Paris, from Lafayette, who was again in America :—

Lafayette to Jefferson.

HARTFORD, October the 11th, 1784.

MY DEAR SIR,— When I heard of your going to France I heartily lamented I could not have the honor to receive you there, but at the same time anticipated the pleasure to wait upon you this winter in our French Capital. Your voyage to Europe I ever considered as a favorite wish of mine, and on every public and private account am happy to think you at last have consented to go. Permit me, my dear sir, further to carry my views, and in case our respected Doctor Franklin is indulged in his wishes for retirement, let me hope my country may so far agree with me, as to obtain your consent for a longer residence, an event which both as a French man and an American I most warmly desire.

Upon nearing again the blessed shores of liberty my heart throbbed for joy, and nothing could add to my satisfaction but the flattering reception with which I have been everywhere honored. I wish it were in my power to make a much longer stay, but will at least employ the time I have in meeting as many of my friends as possible. From Mount Vernon to this place I have been enjoying their company in their respective

states, and am just home from Fort Schuyler, where it was thought my presence, and even my personal influence with the Indians could be of some public utility. The business is just begun, but in case you wish to know the temper of those people, so far as you may discover in their answers to me, I think you will find the whole with Count de Vergennes, to whom it will be probably sent by M. de Marbois.

I am now going to Boston, Rhode Island, and by water to Virginia where general Washington is again waiting for me. We will together proceed to Philadelphia and I intend reaching Trenton by the time Congress are there, in order to pay my respects to them. God grant such a federative system may be followed by all the states as will insure their eternal union, and of course their interior happiness, commercial welfare and national consequence! Nothing new from Rhode Island respecting the impost. A few Indians have broke out towards the new settlements, but nothing of any consequence. Should a little dispute be mentioned that happened upon the back land, of Connecticut and Pennsylvania, it may be affirmed that this trifling affair is vanishing into nothing.

My house, my dear sir, my family, and anything that is mine, are entirely at your disposal, and I beg you will come and see Mme. de Lafayette as you would act by your brother's wife. Her knowledge of the country may be of some use to Miss Jefferson whom she will be happy to attend in everything that may be agreeable to her. Indeed, my dear sir, I would be very angry with you, if either you or she did not consider my house as a second home and Mme. Lafayette as very happy in every opportunity to wait upon Miss Jefferson.

My best and most affectionate respects wait Doctor

Franklin. Be pleased, also, to remember me to Mr. Barclay, Young Franklin, and other American friends. Should you now be with Mr. Adams, I beg you will present my respects to him. Adieu my dear sir, with every sentiment of attachment and regard, I have the honor to be

Your obedient humble servant.

Lafayette himself, after a journey through America in which he was everywhere welcomed with enthusiasm, arrived in Paris again at the end of the year.

In a note of reminiscences which he published just after Franklin's death,¹ Jefferson says, —

“I could indeed relate a number of those *bon mots* with which he used to charm every society, as having heard many of them. But these are not your object. Particulars of greater dignity happened not to occur during his stay of nine months, after my arrival in France.

“A little before that, Argand had invented his celebrated lamp, in which the flame is spread into a hollow cylinder, and thus brought into contact with the air within as well as without. Dr. Franklin had been upon the point of the same discovery. The idea had occurred to him; but he had tried a bulrush as a wick which did not succeed. His occupations did not permit him to repeat and extend his trials to the introduction of a larger column of air than could pass through the stem of a bulrush.”

Then follows the tribute to Mesmer, which we have already printed; and Jefferson then goes on, —

“I can only therefore testify in general, that there appeared to me more respect and veneration attached

¹ Jefferson's Works, vol. iii. p. 212.

to the character of Doctor Franklin in France, than to that of any other person in the same country, foreign or native. I had opportunities of knowing particularly how far these sentiments were felt by the foreign ambassadors and ministers at the Court of Versailles. The fable of his capture by the Algerines, [on his voyage home] by the English newspapers excited no uneasiness; as it was seen at once to be a dish cooked up to the palate of their readers. But nothing could exceed the anxiety of his diplomatic brethren, on a subsequent report of his death, — which, though premature, bore some marks of authenticity.

“I found the ministers of France equally impressed with the talents and integrity of Dr. Franklin. The Count de Vergennes particularly gave me repeated and unequivocal demonstrations of his entire confidence in him.”

In another place, Jefferson says, —

“The succession to Dr. Franklin at the Court of France was an excellent school of humility. On being presented to any one, as the minister of America, the commonplace question used in such cases was, ‘C’est vous, Monsieur, qui remplace le Docteur Franklin?’ ‘It is you, sir, who replace Dr. Franklin?’ I generally answered them, ‘No one can replace him, sir. I am only his successor.’”

Before Jefferson had left America, Marbois of the French legation had asked him for statistical accounts relating to the State of Virginia, for the use of the French Government. Jefferson had collected a mass of memoranda on this subject; and he replied to Marbois’ queries in his book, still well known as the “Notes on

Virginia." So soon as he arrived in Paris, he found that these notes could be printed for a fourth of what had been demanded by the American printers. He therefore corrected and enlarged them, and printed two hundred copies. He gave a few copies to his particular friends in Europe, and sent the rest to America. One of the European copies fell into the hands of a bookseller, who had it translated, and printed it in French. A London bookseller, seeing the translation, asked Jefferson to permit him to print the English original; and this was done. Such occupations, and others which suggested themselves naturally in Paris to a man of Jefferson's scientific tastes, were interesting to Franklin; and it is evident that Franklin brought Jefferson into close association with his own friends. The circle at Passy received Jefferson with confidence, and with some of its members he maintained a correspondence after he returned to America in 1789. He did not himself live at Passy, nor did Mr. Adams, on this visit here; but the three commissioners met, as has been said, almost every day. Franklin seems to have been present at almost all their meetings, his occasional absences being alluded to as if it were exceptional. It was rather a curious combination of circumstances which thus brought together daily, after eight years, three of the committee who had drawn the Declaration of Independence.

While Jefferson says in the letter cited that there are no particulars of greater dignity to be given, he does not mean that the nine months in which he acted as a fellow-commissioner with Franklin were unimportant. The "Diplomatic Correspondence" shows that the three commissioners were busily engaged in the enterprises intrusted to them. They were joined by Mr. Adams from the Hague on the 30th of August. David

Humphreys, the same who had been on Washington's staff, had been appointed their secretary by Congress. The first official meeting of the commission with their secretary was held at Passy, at Franklin's house. It was on the 30th of August. They agreed to meet daily till the objects of the commission should be arranged; and we have memoranda of their work, made very frequently from that time forward.

They communicated at once with Hartley, who was then the Minister Plenipotentiary from England, and asked if his government would make arrangements for negotiating a treaty in Paris. The proposal was transferred to the Duke of Dorset, who succeeded Hartley as English ambassador; and, after communicating with the Ministry, he replied that they held to a stipulation which they had previously suggested, "that the United States should send a person properly authorized to London, as more suited to the dignity of both powers than would be the carrying-on in any third place of negotiations of so great importance." To this the commissioners replied, "We have no apprehension that it is inconsistent with the dignity of the United States to treat in any third place;" but assented to the proposal that they should go to London. And, in fact, Adams and Jefferson, in the spring of 1785, met at London for that purpose. Nothing came out of the negotiation then, but these were the first steps toward the commercial treaty eventually negotiated by Jay.

Their commission authorized them to treat with the Empress of Russia, the Emperor of Germany, the Kings of Prussia, Denmark, England, Spain, Naples, and Sardinia, with the sovereigns of Portugal, with the Elector of Saxony, with the Pope, with the city of Hamburg, with the Grand Duke of Tuscany, the Sublime Porte,

the republics of Venice and Genoa, the Emperor of Morocco, the Dey of Algiers, the city and kingdom of Tripoli, and the state and kingdom of Tunis.

They notified the representatives of these powers in Paris that they were ready to enter on such negotiations whenever a minister properly authenticated appeared for that purpose. They received courteous answers from all of the representatives thus addressed in Paris.

Meanwhile, Mr. Adams, acting at the Hague, under such authority as he had, had negotiated with Baron Thulemeier a treaty with Prussia. The new form of treaty which Congress had sent had required a revision of the Prussian treaty, amounting almost to a new negotiation. Thulemeier himself, however, interested himself in the counter-project; and a negotiation at once began, which resulted in the well-known treaty which has been already referred to, between ourselves and Prussia. This negotiation was conducted by correspondence between Paris and the Hague; and the treaty was finally signed by Mr. Adams, Mr. Jefferson, and Dr. Franklin in Paris, and by Baron Thulemeier at the Hague, under a special arrangement, by which the parties waived the necessity of a signature at the same place. It included the celebrated prohibition of privateering. All the treaties proposed included what we now call the "favored-nation" agreement. As early as May 20, 1783, Vergennes had written to propose, that, "to interpret in all needful cases, Article 2 of the Treaty of Friendship and Commerce concluded Feb. 6, 1778, the United States shall declare that all the advantages, privileges and exemptions which are granted or may be granted in the future, in regard to Navigation or Commerce to any nation, power or State whatsoever, shall be common to France [*à la Française*] and

that she shall enjoy this privilege conformably to Article 3 in the Treaty above named, without there being any case or pretext in which the United States can exact compensation on the part of his most Christian Majesty."

And, as correlatively with this, Vergennes proposes that the King shall make similar concessions to the United States.

Aranda, on behalf of Spain, made the same proposal which the English ministry made, and asked that the negotiation might be conducted at Madrid. To this the commissioners replied by asking the Court at Madrid to waive their general rule, but nothing practical followed.

They received an intimation from the Count de Vergennes that he was afraid that the interest on the French loans, and on the Dutch loan guaranteed by the King, might not be forthcoming in time. He said that this would be a real inconvenience at the French Court, under the present possibility of a war in Europe. In their first report home, drawn apparently by Mr. Adams on the 11th of November, he says, with a good deal of point, "Congress will know whether measures have been taken to make timely payments here, and they can best judge of what exertions the States are capable, for reducing their foreign debt, even faster than their stipulations require. A hearty disposition in the people goes far toward making them equal to whatever it is their duty and interest to do, and we cannot help supposing, that if our countrymen would boldly look that part of their foreign debt in the face, which they have a right to discharge, if they would view it and view themselves, they could find they could master it, perhaps with a single effort. Of this we can assure them ;

that nothing would produce such a revolution of the opinion entertained in Europe of their powers, of their justice, and of the tone of their government. If a reputation for equity and gratitude, if a demonstration of our resources and of our resolution, if the subjection of the riches of Europe to our wishes, on any future emergency, may be bought at half a guinea a head, cannot our countrymen be roused to make the purchase?"

The draught suggested by Congress for all the treaties was certainly in advance of most of the diplomacy of the time. In sending to the Baron de Walterstorff, the ambassador of Denmark, Jefferson says, "This is the draught in such form as we would wish to see established, — to emancipate commerce from the shackles which oppress it, to increase the happiness, and lessen the miseries of mankind, are the objects we propose, and we flatter ourselves that the means proposed are founded in the most perfect equality of right." This really formed a statement of the model treaty. De Walterstorff had returned to Copenhagen at that time, and asked that he might take the draught of the commission with him.

It is worth notice that the Baron de Thulemeier, writing on the 24th of January, says, "The English language being familiar neither to the Prussian chancery, nor to the king nor his ministers, it has become necessary that I should make a French translation, and to prove its exactness, I have caused it to be placed by the side of the annexed observations." The King of France and his "chancery" would probably have found equal difficulty in reading German. It was not until 1861 that Count Bismarck made his remark, now celebrated, that he would find means which should make a despatch, written in the German language, intelligible in Paris.

The commissioners spent a great deal of time, and evidently much anxiety, in considering what measures the new nation should take toward the Barbary States. The reader has seen that they had authority to deal with the Emperor of Morocco, and with the governments, whatever they might be, of Algiers, Tripoli, and Tunis. The custom still held, by which the great powers of Europe, under a form of making a present to the sovereigns of these countries, really paid them tribute, and bought them off from the piratical enterprises on the Mediterranean and its neighborhood, which has given the word "corsair" to our language, with a sense entirely different from that of the modest word "cruiser." Already the Algerian powers had discovered that England would not interfere with them if they pounced upon any vessel bearing the American flag. In this very summer, a Virginia vessel was seized by a corsair sailing from Morocco. With regard, however, to paying tribute, under the form of presents to these marauders, there were more difficulties than one. First, the pride of the new-born nation was wounded by a custom which had no precedent to justify it, precisely as the pride of any European nation would have been wounded had a plan so absurd been presented for the first time. Second, and not less important, the new nation had no money for any purposes whatever, least of all for sending expensive presents to a set of thieves. The commissioners occupied themselves with this subject, and obtained from the different powers statements of the presents they were in the habit of making by way of satisfying this demand for blackmail. In France they were told that nothing used in war was given. They gave them mirrors (*glaces*) and other ornamental articles, but nothing with which they could fit out their

navy. The Dutch Government, however, furnished a list which contained many naval stores and articles which must have been of value in fitting out fleets. One cannot, however, but notice, that, just as in our annual tribute to the savages upon our Western frontier, a great deal of sugar is included, a barrel of sugar containing 280 loaves of sugar, amounting to 1,072 pounds, is mentioned among the extraordinary presents made to the Emperor of Morocco by the States-General in 1774. Other extraordinary presents are three clocks, — “one very large watch.”

From Dr. Sparks's manuscript notes of his conversation with Lafayette at La Grange, we have the following curious anecdote as to the method in which the American commissioners would have been glad to solve this problem of the Barbary States:—

After the close of the American Revolution, Dr. Sparks writes, “Genl. Lafayette formed a plan of attacking the Barbary States, and compelling them to abandon their piracies. Mr. Jefferson, who was then in Paris, assisted him in maturing the scheme. The Swedish and Sardinian ministers were consulted on the subject, and it was probable their governments would lend assistance in vessels and money. While the plan was in agitation, Vergennes invited Lafayette to dine with him one day when he called on him at Versailles. After dinner he asked him into his Cabinet, where he told him that his project could never succeed, and, in fact, said to him that he was commanded to instruct him to desist from it; that neither England nor France would permit such an enterprise, as both these governments profited by the piratical system of the Barbary States, and would not allow it to be suppressed.”

It is interesting to remember in this connection, that,

under Jefferson's own administration as President of the United States, sixteen years afterwards, the United States Navy led the way in breaking up this nest of pirates. Historians have always observed, that, in this case, Jefferson entirely disregarded his ordinary policy, which was to neglect and suppress the little navy of his own country. The successes won by American naval vessels against Algiers was the beginning of a series of naval operations by which the disgraceful piracy of the Barbary States was brought to an end.

This action of his is, in a way, foreshadowed by the following letter which he wrote, at the time we speak of now: —

Jefferson to John Adams.

PARIS, Aug. 6, 1785.

DEAR SIR, — I now enclose you a draught of a treaty with the Barbary States, together with the notes Dr. Franklin left me. I have retained a press copy of this draught, so that by referring to any article, line or word, in it, you can propose amendments, and send them by the post, without anybody's being able to make much of the main subject. I shall be glad to receive any alterations you may think necessary, as soon as convenient, that this matter may be in readiness. I enclose also a letter containing intelligence from Algiers. I know not how far it is to be relied on. . . .

If we consider the present object only, I think the former would be the most proper; but if we look forward to the very probable event of the war with those pirates, an important object would be obtained by Captain Jones's becoming acquainted with their ports, force, tactics, &c. Let me know your opinion on this. I have never mentioned it to either, but I suppose either might be induced to go.

Franklin himself, in a journal which he kept for a month only, in June and July, alludes to this matter of the Barbary powers at some length: he devotes more space to it than to any other single subject. He says that all the powers of Europe bought their peace of the corsairs at that time, excepting Spain and the Italian States, "with whom they have constant war."

Two plans were prepared by M. Caille, — one of the consuls with whom Franklin talked about this, — for the suppression of such piracy, and reducing the barbarians to peace. One was, that all Europe should agree to cut off all trade with the Barbary States. "But if any one power would continue to trade with them, it would defeat the whole." The other plan proposed by him was, that France should agree to be the representative of Europe, and compel the Barbary States to keep the peace by her influence with the Sublime Porte, to whom Monsieur Caille was sure the deys and other Barbary monarchs would defer.

The Duke of Dorset, the ambassador from France to England, showed great courtesy to the commissioners, and, when Mr. Adams was appointed to be minister plenipotentiary to London, rendered him every attention in apprising him what the etiquettes would be, and in other assistance. The English Government had found out what was the weak point in the American armor; and on the 26th of March, 1785, the duke writes to the commission to inquire whether they are "merely commissioned by Congress, or whether you have received separate powers from the respective States." He goes on to say that "a committee of North American merchants have waited upon his Majesty's principal Secretary of State for Foreign Affairs, to express how anxiously they wished to be informed upon this subject, repeated

experience having taught them in particular, as well as the public in general, how little the authority of Congress could avail in any respect where the interest of any one individual State was even concerned, and particularly where the concerns of the particular States might be supposed to militate against such resolutions as Congress might think proper to adopt."

To this very inconvenient question, the three commissioners made no reply for seven weeks. On the 16th of May, they say, "We have delayed the acknowledgment of it in expectation of the arrival of the packets, by which we hope for further instructions from Congress. We have now the honor to inform your Grace, that Congress, on the 24th of February last, appointed a Minister Plenipotentiary to reside at the Court of his Britannic Majesty, who proposes to proceed to London in the course of a few weeks, which makes a more particular answer unnecessary." This was a most convenient reply to a most delicate and difficult inquiry.

The negotiations with Tuscany went on prosperously, but had arrived at no conclusion when Franklin left France.

Mr. Adams had arrived in Paris on the 13th of August, and, as the reader has seen, at once engaged in the work of the commission. His diary, unfortunately for us, is very scanty in the period of his Parisian life. It illustrates the very sensible remark which he makes early in his life, that, when people have any thing important to do, they have no time to write in a diary, and that, therefore, when we have the full diary of a public man, we are quite sure it is of a period which is of comparatively little interest and importance. It was remembered in his family that he regarded these months as the most agreeable in his life. But an interview with

Vergennes at Versailles on the 20th of March, in which he conferred with the Count as to their relations with the Algerine powers, is the only matter in the diary connected especially with the duty of the commission. He engaged, however, very actively, in their public business. There is a curious letter from him to de Castries, on the supply of masts for the navy; and his correspondence with the bankers and with Jay on finance and other subjects is close and diligent. On the 24th of February, Congress named him our first minister to England; and he went there in May, 1785. "Whether this mission to St. James is a subject for felicitation or not, I know not," he said. "One thing I know, I quit the situation in Europe most to my taste and most for my health, for one that will probably be agreeable to neither. I exchange a quiet, cheerful mind for an anxious one, and a life of ease for a scene of confusion and fatigue. If the public, however, should derive any benefit from it, I shall not regret it." He arrived in London on the 26th of May, 1785.

Jefferson was so watchful, that he even suspected the French of wishing to establish a colony on that Pacific coast, which he afterwards sent Lewis and Clark to explore. He bids Paul Jones investigate the matter, in this letter:—

Jefferson to J. Paul Jones.

PARIS, Aug. 3, 1785.

Will you be so good as to make an enquiry into all the circumstances relative to Peyrouse's expedition which seem to ascertain his destination, particularly what number of men and of what conditions and vocations had he on board? what animals, their species and number? what trees plants or seeds? what utensils? what merchandise and other necessities? This enquiry

should be made with as little appearance of interest in it, as possible. Should you not be able to get satisfactory information without going to Brest, and it be convenient for you to go there,—I will have the expense this shall occasion pre paid. Commit all the circumstances to writing and bring them when you come yourself or send them by a safe hand.

It is interesting to observe that Jefferson's relations with Mr. and Mrs. Adams were of the most intimate and even affectionate character. There was, indeed, much in the make-up of both the men, and in their relations to the people around them in Europe, which should bring them into sympathy with each other. Jefferson's correspondence with Mrs. Adams at this period is entertaining; and the reader will pardon us if we print two of the letters which passed between him and her in 1785, though they only throw some side-lights on the history of Franklin. They have not before been printed.

Mrs. Adams to Jefferson.

LONDON, BATH HOTEL, WESTMINSTER,
June 6, 1785.

DEAR SIR,—Mr. Adams has already written you that we arrived in London upon the 27th of May. We journeyed slowly and sometimes silently. I think I have somewhere met with the observation that nobody ever leaves Paris but with a degree of tristeness. I own I was loath to leave my garden, because I did not expect to find its place supplied. I was still more loath on account of the increasing pleasure and intimacy which a longer acquaintance with a respected friend promised, to leave behind me the only person with

whom my Companion could associate with perfect freedom and unreserve, and whose place he had no reason to expect supplied in the land to which he is destined.

At leaving Auteuil¹ [where Mr. Adams resided] our domestics surrounded our carriage and in tears took leave of us; which gave us that painful kind of pleasure, which arises from a consciousness, that the good will of our dependents is not misplaced.

My little bird I was obliged, after taking it into my Carriage, to resign to my Parisian chambermaid, or the poor thing would have fluttered itself to death. I mourned its loss, but its place was happily supplied by a present of two others, which were given me on board the Dover packet, by a young gentleman whom we had received on board with us, and who being excessively sick, I admitted into the Cabin; in gratitude for which he insisted upon my accepting a pair of his birds, as they have been used to travelling. I brought them here in safety, for which they hourly repay me by their melodious notes. When we arrived, we went to our old lodgings at the Adelphia, but could not be received, as it was full, and almost every other hotel in the city. From thence we came to the Bath Hotel, where we at present are, and where Mr. Storer had partly engaged lodgings for us, though we thought we should have objections on account of the noise, and the constant assemblage of carriages around it; but it was no time for choice, as the sitting of Parliament, the birthday of the King, and the celebration of Handel's music had drawn together such a number of people as

¹ Always spelled Anteul in the Diplomatic Correspondence, second series. The error is interesting, as showing, what other things suggest, that Edward Livingston, then Secretary of State, and responsible for this edition, never saw the proof-sheets.

already to increase the price of lodgings near double. We did not, however, hesitate at keeping them, though the four rooms which we occupy cost a third more than our House and Garden, Stables, &c., did at Auteuil. I had lived so quietly in that calm retreat that the noise and bustle of this proud city almost turned my brain for the first two or three days. The figure which this city makes in respect to equipages is vastly superior to Paris, and gives one the idea of superior wealth and grandeur. I have seen few carriages in Paris, and no horses superior to what are used here for hackneys. My time has been much taken up since my arrival in looking out for a house. I could find many which would suit in all respects but the price, but none really fit to occupy under 240 or 250, besides the taxes, which are serious matters here. At last I found one in Grosvenor Square, which we have engaged.

Mr. Adams has written you an account of his reception at Court, which has been so gracious, and as agreeable as the reception of the ministers of any other foreign powers. To-morrow he is to be presented to the Queen.

Mr. Smith [the Secretary of Legation] appears to be a modest, worthy man, if I may judge from so short an acquaintance. I think we shall have much pleasure in our connection with him. All the Foreign Ministers and Secretaries of Embassies have made their visits here, as well as some English Earls and Lords. Nothing as yet has discovered any acrimony. Whilst the coals are covered the blaze will not burst, but the first wind which blows them into action will I expect envelop all in flames. If the actors pass the ordeal without being burnt they may be considered in future of the asbestos kind. Whilst I am writing the papers of this day are

handed me. From the Publick Advertiser I extract the following. "Yesterday morning a messenger was sent from Mr. Pitt to Mr. Adams, the American Plenipotentiary, with notice to suspend for the present their intended interview." (Absolutely false.) From the same paper. "An Ambassador from America! Good heavens, what a sound! The Gazette surely [never] announced anything so extraordinary before, nor once on a day so little expected;—this will be such a phænomenon in the Corps Diplomatique that 'tis hard to say which can excite indignation most, the insolence of those who appoint the character, or the manners of those who receive it. Such a thing could never have happened in any former Administration, not even that of Lord North. It was reserved, like some other humiliating circumstances, to take place

Sub Jove, sed Jove nondum
Barbato—"

From the Morning Post and Daily Advertiser, "It is said that Mr. Adams, the Minister Plenipotentiary from America, is extremely desirous of visiting Lord North, whom he regards as one of the best friends the Americans ever had." Thus you see, sir, the beginning squibs.

I went last week to hear the music [Händel's] in Westminster Abbey, the Messiah was performed. It was sublime beyond description. I most sincerely wisht for your presence, as your favorite passion would have received the highest gratification. I should have sometimes fancied myself amongst a higher order of Beings if it had not been for a very troublesome female, who was unfortunately seated behind me; and whose volubility not all the powers of music could still.

I thank you, sir, for the information respecting my son, from whom we received letters. He desires to be remembered to you. My daughter also joins in the same request. We present our love to Miss Jefferson and compliments to Mr. Short. I suppose Madam de la Fayette is gone from Paris. If she is not, be so good, sir, as to present my respects to her. I design writing to her very soon. I have to apologize for thus freely scribbling to you. I will not deny that there may be a little vanity in the hope of being honored with a line from you. Having heard you on some occasions express a desire to hear from your friends, even the minutiae respecting their situation, I have ventured to class myself in that number, and to subscribe myself, sir, your friend and humble servant,

Jefferson to Mrs. Adams.

PARIS, June 21 [1785].

DEAR MADAM, — I have received duly the honor of your letter, and am now to return you thanks for your condescension in having taken the first step for settling a correspondence which I so much desired; for I must consider it as settled and proceed accordingly. I have always found it best to remove obstacles first. I will do so, therefore, in the present case, by telling you that I consider your boasts of the splendor of your city and of its superb hackney coaches as a flout, and declaring that I would not give the polite, self-denying, feeling, hospitable, good-humored people of this country and their amiability in every point of view (tho' it must be confessed our streets are somewhat dirty and our fiacres rather indifferent) for ten such races of rich, proud, hectoring, swearing, quibbling, carnivorous animals as those among whom you are: and that I do love

this people with all my heart and think that with a better religion, a better form of government, and their present governors, their condition and country would be most enviable. I pray you to observe that I have used the noun people, and that this is a noun of the masculine as well as feminine gender. I must add too that we are about reforming our fiacres, and that I expect soon an Ordonnance that all their drivers shall wear breeches, unless any difficulty should arise whether this is a subject for the police or for the general legislation of the country to take care of. We have lately had an incident of some consequence, as it shows a spirit of treason and audaciousness which was hardly thought to exist in this country. Some eight or ten years ago a Chevalier was sent on a message of state to the Princess of—of—of— (before I proceed on one [step] further, I must confess my profound stupidity, for tho' I have heard this story told fifty times in all its circumstances, I declare I am unable to recollect the name of the ambassador, the name of the princess, and the nation he was sent to: I must therefore proceed to tell you the naked story shorn of all the precious circumstances). Some chevalier or other was sent on some business or other to some princess or other. Not succeeding in his negociation he wrote on his return the following song.

Ennulé du brillant poste
Que j'occupe recemment,
Dans une chaise de poste
Je me campe fièrement:
Et j'avais en ambassade
Au nom de mon souverain
Dire que je suis malade
Et que lui se porte bien.

Avec une joue enflée,
Je débarque tout honteux :
La princesse boursofflée,
Au lieu d'un, en avoit deux ;
Et son altesse sauvage
Sans doute a trouvé mauvais
Que j'eusse sur mon visage
La moitié de ses attraits.

Princesse, le roi mon maître
M'a pris pour Ambassadeur :
Je viens vous faire connaître
Quelle est pour vous son ardeur.
Quand vous souriez sous le chaume
Je donnerois, m'a-t-il dit,
La moitié de mon royaume
Pour celle de votre lit.

La princesse à son pupitre
Compose un remerciement :
Elle me donne un épître
Que j'emporte lestement,
Et je m'en vais dans la rue
Fort satisfait j'ajouter
A l'honneur de l'avoir vue
La plaisir de la quitter.

The song ran through all companies, and was known to everybody. A book was afterward printed with a regular license, called "Les quatre saisons littéraires," which, being a collection of little things, contained this also, and all the world bought it or might buy it if they would, the government taking no notice of it. It being the office of the "Journal de Paris" to give an account and criticism of new publications, this book came to be criticised by the redacteur, and he happened to select and print in his journal this song as a specimen of what the collection contained. He was seized in his bed that night, and has been never since heard of. Our excellent Journal de Paris then is suppressed and this

bold traitor has been in jail now three weeks and for aught anybody knows will end his days there. Thus you see, Madam, the value of energy in government. Our feeble republic would in such a case have probably been wrapt in the flames of war and desolation for want of power lodged in a single hand to punish summarily those who write songs. The fate of your *Pilatre de Rosiere*¹ will have reached you before this does, and with more certainty than we yet know of. This will damp for a while the ardour of the Phaetons of our race who are endeavoring to learn us the way to heaven on wings of our own. I took a trip yesterday to Saunoy and commenced an acquaintance with the old Countess d'Houdetot.² I received much pleasure from it and hope it has opened a door of admission for me to the circle of literati with which she is environed. I heard the Nightingale in all its perfection; and I do not hesitate to pronounce that in America it would be deemed a bird of the third rank only, our mocking-bird and fox-coloured thrush being unquestionably superior to it. The squibs against Mr. Adams are such as I expected from the polished, mild-tempered, truth-speaking people he is sent to. It would be ill policy to attempt to answer or refute them, but counter-squibs I think would be good policy. Be pleased to tell him that as I had before ordered his Madeira and Frontignac to be forwarded, and had asked his orders to Mr. Garvey as to the residue which I do not doubt he has given, I was afraid to send another order about the Bordeaux lest it should produce con-

¹ He had fallen from his burning balloon, and been killed.

² The Countess d'Houdetot (Elizabeth F. Sophie de la Live de Bellegarde), the same who inspired Rousseau's passion. She was a friend of Franklin, and he introduced Jefferson to her.

fusion. In stating my accounts with the United States I am at a loss whether to charge house-rent or not. It has always been allowed to Dr. Franklin. Does not Mr. Adams mean to charge this for Auteuil and London? Because if he does, I certainly will, being convinced by experience that my expenses here will otherwise exceed my allowance. I ask this information of you, Madam, because I think you know better than Mr. Adams what may be necessary and right for him to do in occasions of this kind. I will beg the favor of you to present my respects to Miss Adams. I have no secrets to communicate to her in cypher at this moment, what I write to Mr. Adams being mere commonplace stuff, not meriting a communication to the secretary. I have the honor to be, with the most perfect esteem, Dear Madam,

Your most obedient and most humble servant,

As Franklin was in communication almost daily with Jefferson in Paris, there was but little occasion for correspondence between them. We have one note from Franklin to Jefferson, dated on the 23d of November. In sending a beggar to his colleague, he puts in a little philosophical speculation, as he is so apt to do.

PASSY, 23 Nov. 1784.

DEAR SIR, — These people are so accustomed to see everything done by solicitation of interest, or what they call protection, and nothing without it, that they hardly conceive it possible to obtain even the payment of a just debt, but by means of persons whom they suppose to have influence enough to support and enforce their pretensions. We should naturally suppose that the proper time for asking such aid would be after a

regular demand, and a refusal of justice ; but they run about to everybody with their memorials, before they have even presented their account to those whom they consider as their debtors. Thus the creditors, not only of a State in America, but even of private merchants, tease the merchants of this country, as well as those of America here, with their petitions and cases, requesting assistance and interest to procure attention to their affairs, when it does not appear that their claims have been refused, or even made where they ought to be made.

I beg leave to refer you to the enclosed papers, and to request that, if you are acquainted with the affair, and can give any comfortable expectation or counsel to the poor man, you would be so good as to furnish me with it, that I may communicate it to him in my answer. With great and sincere esteem, I am, Sir, &c.

After Franklin's return to America, he did not drop his correspondence with his successor.

The following letters, written from Philadelphia to Jefferson, while he was still in Paris, have never been made public until now.

PHILADA, March 20, 1786.

SIR,—I received your favor of Oct. 5 by Messrs. Fitzhughs, with the letters and pacquets you were so kind as to forward to me by those gentlemen, who have wintered with us, and are but lately set out for Virginia. I will read Du Plessis's Papers as soon as I can find a little time, and say something of them in a future letter.

As to public affairs, the Congress has not been able to assemble more than seven or eight states during the

whole winter, so the treaty with P. remains still unratified, tho' there is no doubt of its being done soon, as a full Congress is expected next month. The disposition to furnish Congress with ample powers augments daily, as people become more enlightened; and I do not remember ever to have seen during my long life more signs of public feeling than appear at present throughout the States, the cultivators of the Earth who make the Bulk of our Nation, having had good crops, which are paid for at high prices with ready money, the Artisans too receive high wages, and the value of all real Estates had augmented greatly. Merchants and Shopkeepers indeed complain that there is not business enough, but this is evidently not owing to the fewness of buyers, but to the great number of sellers; for the consumption of goods was never greater, as appears by the dress, furniture and manner of living of all ranks of the people.

As to myself, I am agreeable to your kind wishes, happy in the bosom of my friends and family, enjoying as good health as ever, the stone excepted, which does not grow worse. Be pleased to present my affectionate regards to the good Countess d'Houditot, who you say does me the honour to enquire concerning me, and I pray you to assure all other friends, that I retain and shall forever retain the deepest impression of their many kindnesses to me while I resided among them. I hope your health is fully established. My best wishes attend you, being with great and sincere esteem &c. &c.

PHILADA, April 19, 1787.

DEAR SIR, — I have lately received your favour of Dec. 23. The Diplomas I hope are got to hand before this time. I am much obliged by your taking care of

my Encyclopedia. Mr. Hopkinson will account with you for it.

I am glad to learn that everything is quiet in Europe, and like to continue so. I hope the same will be the case here; tho' malcontents are not wanting among us, who by inflammatory writings in the papers are perpetually endeavoring to set us together by the ears about Taxes and Certificates, &c. The Insurgents in Massachusetts are quelled and I believe that a great majority of that people approve the measures of government in reducing them. Yet I see that in the Election they have left out the late Governor, and chosen Mr. Hancock. But he was always more popular than Mr. Bowdoin, had resigned on account of his infirmities, and his health being mended, his friends have taken advantage of the offence given by Mr. Bowdoin to the Malcontents, to increase the number of votes against him. His refusing the Bill for reducing the Governor's Salary, has also, I imagine, hurt his interests at this Election. So that on the whole, I do not think his not being chosen any proof of general dissatisfaction with the measures taken to suppress the Rebellion, or with the Constitution.

Our Federal Constitution¹ is generally thought defective, and a Convention, just proposed by Virginia, and since recommended by Congress, is to assemble here next month to revise it and propose amendments. The delegates as far as I have heard of them are men of character for prudence and ability, so that I hope good from their meeting. Indeed, if it does not do good, it must do harm, as it will show that we have not wisdom enough among us to govern ourselves; and will strengthen the opinion of some political writers, that popular governments cannot long support themselves.

¹ The articles of Confederation.

I am sorry for the death of M. Peyronet¹ on account of Mr. Paine,² who would have been pleased and instructed by conferring with that ingenious and skilful Artist on the subject of his Bridge, and it was my intention to introduce him to M. Peyronet's acquaintance. I have requested the Duke de Rochefoucauld to procure him a sight of the model and draft in the repository of the Ponts and Chaussées. You are well acquainted with Mr. Paine's merit and need no request of mine to serve him in his views, and introduce him where it may be proper, and of advantage to him.

With great and sincere esteem, I have the honour to be,

Your Excellency's most obedient and
most humble servant,

B. FRANKLIN.

With these letters close the personal memoranda which we have of the intimacy between Franklin and his successor. In another chapter we shall examine the relation in which both of them stood to the leaders in the outbreak of the French Revolution.

¹ The architect of the bridge of Neuilly.

² The celebrated Thomas Paine, who had invented a bridge.

CHAPTER XVIII.

HOME AT LAST. — 1785.

THROUGH the winter of 1784-1785 Franklin had the pleasure of the company at Passy of his old friend, Mrs. Hewson, and her children. Gradually his habits became more those of an invalid. His infirmities prevented him from attendance at Court, and from going abroad for social purposes, as frequently as he had usually done. But it is clear from his correspondence, and from the record of the commission, which has been alluded to in the last chapter, that he was in full mental vigor; and he seems to have enjoyed the winter.

Mrs. Hewson was so much interested by his accounts of America, that she was tempted to return with him. She did not join him in the voyage, but did arrive in Philadelphia before his death. She was then at his side.

In previous years Franklin had himself seriously entertained the idea of closing his life in Europe, without attempting the fatigue of another voyage to America. He says quite pathetically, more than once, that his old friends in America have died, and that he should find a residence there very different from such as he remembered. We now know, from a curious paper which is preserved in the Stevens collection, that this plan had been accompanied by the wish that Temple Franklin, his grandson, might marry the oldest daughter of his

friend, the "*brillante et belle*" Madame Brillon. The paper is in French, without date, but it seems to belong in 1782 or 1783. He says in it that he had observed the young lady for four years; and we know that his friendship with Madame Brillon began at least as early as 1778. This curious paper is headed in English "To Mde. Brillon, about the proposed match."

It is hard to guess how it escaped Temple Franklin's destroying hands, as he had the charge of the papers so long.

Franklin to Madame Brillon.

Do you remember, my dear friend, that some time ago I asked you if M. Brillon had spoken to you in Paris of a proposal which I had made to him? You told me that he had not. I thought I should never speak to you of it again, but I have changed my mind, and I will tell you what it was. It was the proposal of a marriage between your dear oldest daughter and my grandson. Here are my reasons for it. For myself, I love the whole family without any exception; I wanted by this means to confirm the tender bonds of our friendship. I have, as it were, lost my own daughter by the distance between us, and I hoped that I might find one in you and another in your daughter, to take care of my old age if I should remain in France, and to close my eyelids when I should die.

I think very highly of this amiable girl. I have watched her for the four years of our acquaintance, and I certainly believe that she will make a good wife. I also believe that my son [*fils*, not *petit fils*] who has no vices, would make a good husband, otherwise I should not wish to give him to your daughter. I have observed that they are fond of each other, and spoke to him of

my views regarding marriage here. He said that there was this objection to it, that his marriage in France might make a separation between him and me, if I should return to America. But when I told him that, if he should marry Mademoiselle Brillon, I should remain in France to the end of my days, he was much pleased, saying that, if I could arrange this for him, he should be very happy. He is still young, and perhaps the partiality of a father made me think too highly of him, but I think that he has in him the stuff to make a distinguished man in time. Here are my reasons for making this proposal. Perhaps I should have done better if I had first taken counsel with you, because you could have told me that M. Brillon would not be pleased with this plan, and I should have spared him the pains of considering it.

To-day he has made two objections to it. One is the difference of religion; the other is that his daughter might be taken to America. I had already, with my grandson, thought of both these things. As for the second, it was my plan to try to establish him in France, remaining here myself during the rest of my life, and obtaining for him the succession to my public employment, which I think in time would be quite possible.¹

As for the first, here are my ideas. In each religion, there are two essential things, and there are others which are only forms and modes, just as a loaf of sugar may be wrapped up in brown paper or white or blue, and may be tied with a thread of flax or wool, which may be red or yellow. It is always the sugar which is

¹ Franklin and Franklin's friends made one and another overture to Congress to obtain diplomatic employment in Europe for Temple Franklin, but it does not seem that that proposal was ever favorably received in Congress.

the essential thing. Now, the essentials of a good religion exist, I think, in these five articles, namely:

1. That there is a God, who made the world, and who governs it by His providence.
2. That He ought to be adored and served.
3. That the best service to God is to do good to men.
4. That the mind of man is immortal.
5. That, in a future life, if not in the present life, vice will be punished and virtue recompensed.

These essentials exist in your religion and in ours; the differences are only the paper and the string.

I satisfied myself on these subjects by these thoughts. But, as the same reasons are not good for everybody, I do not pretend that mine must be good for you or for M. Brillon.

The matter is then at an end, for perhaps there are other objections which he did not give me, and I must not be importunate. Notwithstanding this, we shall love you all; and you, my dear friend, love me as much as you can. It is not too much.

It is hardly necessary to say, in addition to this very curious letter, that Mademoiselle Brillon was very fortunate that she did not marry Temple Franklin. His grandfather was so amiable that he thought he was without vices, but probably no one else thought so who had any acquaintance with him. In 1782 he was entering his twenty-first year.

When the attractions of Europe had less force, Franklin had more than once pressed his wish to return home. Congress had not chosen to gratify that wish; but he had expressed it for several years, with sufficient earnestness.¹

¹ A note from Thomas Paine, at the time when Franklin pressed his wish very earnestly, is an amusing illustration of arrogance and

Though his infirmities kept Dr. Franklin so much indoors, his mind was as active as ever. On the 14th of March, 1785, he sent to his friend Vaughan his observations on the criminal laws and the practice of privateering, which were, the next year, published by Mr. Samuel Romilly, afterward Sir Samuel,¹ in his observations on Dr. Madan's "Thoughts on Executive Justice." Franklin's paper is a careful discussion, based upon the same book of Madan's. He takes his old stiff ground regarding property. "Superfluous property is the creature of society." Severe laws come in only at the dictates of a class which has accumulated property, and means to preserve it at all risks. He goes on to confute Madan's severe theories of justice. His argument draws him readily into the subject with which the Prussian Treaty had had so much to do,—the abolition of privateering; and with an argument on this subject, the paper closes. Romilly published it anonymously, with the remark that he feels he should apologize for publishing it as "an *appendix* to a work which it very far surpasses in every kind of merit." . . . "The editor is not permitted to say more than that it is

unintentional incivility. It was written just as Paine sailed for America.

Thomas Paine to Franklin.

BREAST, Monday, May 28th, 1781.

DEAR SIR, — I have just a moment to spare to bid you farewell — we go on board in an hour or two with a fair wind and everything ready.

I understand that you have expressed a desire to withdraw from Business and I beg leave to assure you that every wish of mine, so far as it can be attended with any service, will be employed to make your resignation, should it be accepted, attended with every possible mark of honor which your long services and high character in life justly merits.

¹ Romilly was made a knight in 1806.

the production of one of the best and the most eminent men of the present age."

As late as the 16th of June, Franklin sent to Sir Charles Wyvill in England, a note on the "Elective Franchises enjoyed by the Small Boroughs in England."

Besides these papers, which were printed not long after they were written, there were written in these last months in Europe several discussions of matters of physical science, which are published in his collected notes. He wrote one or two careful letters to English friends on matters of general importance. It is to one of these that Granville Sharp—so closely connected with the abolition of slavery—makes the reply printed below. The subject of emancipation, as the American reader knows, was one of which Franklin did not lose sight when he returned home. The revision of the Liturgy of the English Church had occupied his thoughts much when he was in England. He and Lord Le Despencer had published a revised edition in 1773, which Sharp, as will be seen, thinks too severely abridged.

Franklin's answer to Granville Sharp's letter is well known. The letter itself, however, has never been printed till now.

Granville Sharp to B. Franklin.

OLD JEWRY, LONDON, June 17, 1785.

DEAR SIR,—About a month ago, I delivered a small parcel of books (addressed for you) to the care of Mr. Solomon Drown,¹ a student in Physic from Providence, in Rhode Island, who was then setting out for Holland

¹ Mr. Drowne,—for so he spelled his own name,—graduated at Brown College in 1773. He was an intimate friend of President Manning. See Manning's Life and Correspondence.

to visit Leyden, &c., and proposed afterward to make a tour in France before his return to America. And I took the liberty to give him a letter of recommendation to you, because he was very highly recommended to me by the Rev. Mr. Manning, President of the College at Providence, where he was bred, and of which he is now a member. The above-mentioned parcel contains, 1st, a volume of tracts against slavery in which I have placed a paper of reference to a proposal of mine for the gradual enfranchisement of the slaves in America; 2nd, a small volume consisting of several Tracts on "National Defence," some of which I believe you have already seen. But the 3d volume is a new work not yet published (in the booksellers' sense of that word) though I have already given away the greatest part of the impression, and sent many copies of it to America; for indeed my chief inducement to compile it was a desire to render an essential service to the British Americans by pointing out to them the most effectual system of popular government that was ever planned by human wisdom; I mean the ancient system of *Frank pledge* in regular numerical divisions of the people, whereby the whole body of inhabitants in any country may be united for council or for military action and defence in the most equal and impartial manner. It is a system the most effectual for the establishment of true liberty, justice, and common right, as well as for military defence and the security of peace from internal and external enemies. And though I have drawn up my book on Congregational Courts, as if it was intended for the reformation of this kingdom, by declaring that this obsolete system is the true foundation of our common law and is still the constitution of our limited Monarchy, yet I had no hope of effecting any good by

it here ; my view was only to promote the adoption of it by the American States in the infancy of their independence. And I trust I have proved that the system is equally applicable to a Republican or popular government as to a Limited Monarchy like that of England, and that it would be equally beneficial to all nations and countries if once fairly established ; as it was really the polity of the Commonwealth of Israel under the Theocracy, which was an example for all the world. Two of the Tracts in the said book relate to the laying out new settlements on uncultivated lands, a subject of very important consideration to the American States, and had I not been afraid of showing too plainly that I wrote chiefly for the sake of America, I would have added an earnest exhortation to promote the adoption of some Agrarian Law for the limitation of landed property, because the monopoly of vast tracts of land in the possession of a few families is one of the most baneful evils at this time in the world, as it increases pride and aristocratical arrogance, and introduces a dangerous inequality among the members of every state where it is permitted, so that the bulk of the people who cultivate the lands are thereby rendered dependent and servile, and an internal national weakness is the necessary consequence ! The accumulation of some landed possessions in England is become enormous, through the total neglect of the old salutary law of Gavel-kind and through the fatal partiality of Lawyers for the aggrandisement of families by presuming an exclusive right of inheritance in the eldest son of a family even when there is no entail. The fatal effects of this in England ought to warn America to avoid it in due time, and to provide for the division of landed property in a reasonable proportion amongst all the children of intestates,

and to limit the quantity of land in bequests whereby rich landholders would be compelled to divide their landed property amongst their friends and relations, or to sell whatever proportion of it should be thought superfluous. A timely reservation of common land and cottage land round every town will procure a multitude of useful laborers, and if these are regulated as proposed in one of the tracts concerning new settlements, an ample provision may be made for them without burthening the neighborhood by a poor-rate as in England. This should be considered with the proposal before mentioned for the gradual enfranchisement of slaves.

The book also contains a distinct Tract on Episcopacy as being necessarily connected with the Rights of a Christian Society, and howsoever you and I may differ on some points of religious knowledge, yet, I trust we shall both agree that true religion is more compendiously efficacious for the forming useful citizens and sincere patriots in every state than any other principle that can be inculcated, and of all the various modes of professing it there is none (I am thoroughly convinced by the examples of primitive times) that would be so effectual for the maintenance of sound doctrine and purity of manners in a Christian Society as the primitive apostolic form of Episcopal Government, provided that the ancient Freedom of election to Ecclesiastical Offices was amply restored and duly maintained.

I have been informed that several years ago you revised the Liturgy of the Church of England, with a view, by some few alterations, to promote the more general use of it; but I have never yet been able to see a copy of the form you proposed. Our present public service is certainly, upon the whole, much too long as

it is commonly used, so that a prudent revision of it by the common consent of the Members of the Episcopal Church in America might be very advantageous; though for my own part I conceive that the addition of one single Rubric from the Gospel would be amply sufficient to direct the revisors to the only corrections that seem to be necessary at present. I mean, a general Rule, illustrated by proper examples, references, and marks, to warn officiating Ministers how they may avoid all useless repetitions and tautology in reading the service. As, for instance, after the Lord's Prayer has been read in one of the offices the Minister should be directed to omit it in all the others, though perhaps the solemn repetition of it by the Communicants after returning from the Lord's Table may be deemed a proper exception to the general rule; that the collect for the day should not be read in the first office; but rather in the second service or *vice versa* at the Minister's discretion; but by no means in both, as it occasions too plainly a "vain repetition." In like manner, every other prayer that contains nearly the same petition in substance as any of those that have already been read in the first office, ought to be omitted in the subsequent offices, and it will require a very careful and attentive revision of the whole Liturgy to discover all the repetitions and to point them out with marginal notes of reference that the officiating Clergyman may the more easily avoid tautology. Such a prudent abridgement of the service, if it were done with common consent to preserve order and uniformity, would afford a great relief to the clergy as well as to their congregations, and both would be better enabled to fix their attention to their duty during the service, because the human mind cannot easily be restrained for any long time together, from wandering

or absence of thought, so that nothing can be more pernicious to devotion than long prayers and needless repetitions. This opinion is sufficiently justified by an injunction of our Lord himself respecting prayers, which therefore I propose as the one additional Rubric necessary to direct us in the use of our Liturgy, — “When ye pray, use not vain repetitions as the heathen do; for they think that they shall be heard for their much saying. Be not ye therefore like unto them.” (Matt. vi. 7.)

The repetitions and consequent unnecessary length of our Church Service are faults, however, which have crept in unawares, and without design, by an inconsiderate use of several offices in immediate succession, which seem to have been originally intended for separate times of assembling. But in every other respect, the Liturgy of the Church of England is an excellent form both for expression of the most exalted piety, and for general edification in point of doctrine; for, after the most careful examination, I am thoroughly convinced that it is strictly conformable to the “Faith once delivered to the saints,” which we ought to “hold fast.”

I remain with great esteem and respect, &c. &c.

The following letter from Sharp was written after Dr. Franklin had crossed the ocean : —

Granville Sharp to B. Franklin.

OLD JEWRY, LONDON, Oct. 29, 1785.

DEAR SIR, — My best thanks are due to you for the candid information you have given me concerning the abbreviated Liturgy. Your directions enabled me to procure the book. The character you gave me of it seems perfectly just; it is certainly too much retrenched,

and I am very happy to have the concurrence of your judgment in favor of a "more moderate abridgement." I must also remark further that the repetitions in the Book of Psalms are of a very different nature from the objectionable tautology too often found in Liturgies of mere human composition. The Psalms are odes, and as such were certainly intended to be chanted or set to music for the public service of the temple; so that the repetitions therein are most commonly of the same nature as that kind of poetical recapitulation which in other odes is called the "burthen of the song" and which is intended to have its proper effect by being repeated in chorus by the multitude of worshippers. But these odes are also highly prophetic, revealing to us many of the most important purposes of divine Providence to the end of the world, with assurances of a glorious interference at length in behalf of popular rights, justice and peace. And therefore as a lover of liberty, jealous for the natural rights of man, I chant my Hebrew Psalter to my Harp in the exultation of hope that the happy times perhaps are not far distant, but always with confidence that they will surely come! for the predictions already fulfilled insure to us by their clear accomplishment, the literal completion also of the other glorious changes which the world has never yet seen, such as the universal establishment of truth justice and peace even on earth; a general vindication of the poor; the entire destruction of all wicked and arbitrary Governments with their standing armies; nay, and exemplary vengeance also even on wicked individuals in this world. But indeed these predictions of retribution are liable to be mistaken for "imprecations" which even to many worthy persons have "appeared not to suit well the Christian doctrine of forgiveness of

injuries and doing good to enemies." But a more attentive examination must convince them that these supposed imprecations are really predictions of the Holy Spirit against Judas and other persecutors of Christ as in the 35th, 69th, 70th, and 109th Psalms and against the enemies of religion in general in the 68th, 72d, 75th, 76th, 94th, 144th, and 149th Psalms &c &c; so that the Psalms cannot be curtailed without risk of losing not only the sublime elegance of the poetry but also the prophetic information with which they abound.

I remain, &c. &c. &c.

The various diplomatic enterprises of the nation, as described in the last chapter, are all alluded to in a letter which Franklin writes to Jay in January, 1785, which he perhaps intended to be his last allusion to them. He hoped Jay would be Secretary of Foreign Affairs, and he had accepted that post before this letter arrived. Franklin says, "as far as I can perceive, the good disposition of this court towards us continues. I wish I could say as much for the rest of the European courts. I think that their desire of being connected with us by treaties is of late much abated; and this, I suppose, is occasioned by the pains Britain takes to represent us everywhere as distracted with divisions, discontented with our governments, the people unwilling to pay taxes, the Congress unable to collect them, and many desiring the restoration of the old government. The English papers are full of this stuff, and their ministers get it copied into the foreign papers. . . .

. . . "I should be less unhappy," he says in conclusion, "if I could imagine the delay of my *congé* useful to the States, or in the least degree necessary. But they have many equally capable of doing all I have to do here.

The new proposed treaties are the most important things; but two can go through them as well as three, if indeed any are likely to be completed, which I begin to doubt, since the new ones make little progress, and the old ones, which wanted only the *fiat* of Congress, seem now to be going rather backward, I mean those I had projected with Denmark and Portugal."

To Hartley, a few days earlier, he had said of the English commercial treaty, "I do not know that any one is yet appointed by your court to treat with us. We some time since acquainted your Minister with our powers and disposition to treat, which he communicated to his court, and received for answer, that his Majesty's ministers were ready to receive any propositions we might have to make for the common benefit of both countries, but they thought it more for the honor of both that the treaty should not be in a third place. We answered, that, though we did not see much inconvenience in treating here, we would, as soon as we had finished some affairs at present on our hands, wait, if they pleased in London. We have since heard nothing."

When Jay and Laurens, his fellow-commissioners, sailed for America in 1784, Franklin begged them to press his request for release. Jay was appointed Secretary of Foreign Correspondence on his return, and it was probably at his instances that the recall was ordered. Jay's letter announcing it is dated the 8th of March, 1785. Franklin received this permission on the 2d of May. He at once addressed a note to Vergennes to tell him it had arrived. He says, "My malady makes it impracticable for me to pay my *devoirs* at Versailles personally;" and, therefore, he charges Vergennes with his expressions of gratitude to the King. Remembering

what befell Louis XVI. and his family, we read the words with sadness:—

“My sincere prayers are that God may shower down his blessings on the King, the Queen, their children, and all the royal family, to the latest generations.”

Vergennes wrote, on the 22d of May, the most cordial and affectionate reply.

Franklin's last official act was the conclusion of the treaty of friendship and commerce between the United States and Prussia. In this act the other commissioners joined. This treaty was signed on the 9th of July, three days only before Franklin left Passy.

As late as the 12th of June, he had some doubts whether he would sail before the next spring. This appears from the following letter, which is preserved in manuscript in French, written to Madame Chaumont:—

Franklin to Madame Chaumont.

JUNE 12, 1785.

MY VERY DEAR FRIEND,—It is with much difficulty that I write to you in French. You do not read English, and you have enjoined secrecy upon me, so I must try to express myself in your language, in order that you may not need a translator.

Certainly, if you were in health, able to sustain seasickness, the society of such a friend would be a pleasure to me during my voyage. But having crossed the great sea now seven times, I have had occasion to see that ladies are exposed to so many inconveniences, and so much suffering in long voyages, that I cannot advise you to expose yourself to them. I am afraid that you would find on the sea an increase of your habitual malady.

It was my intention to sail very soon, on the packet which regularly sails from Havre de Grace, but the

next one has been ordered to sail from L'Orient on the 20th of this month, and I cannot go so far as L'Orient. There will not be any packet from Havre until the 20th of August. This delay would give the risk of encountering the equinoctial storms, which I want to escape. There will not be another after this until the beginning of October; I should then, therefore, begin to fear the winter storms on the approach to our coast. At the present moment, I am doubting whether I shall sail before the spring of 1786, and I am very much disposed to remain here, and enjoy my French friends till that time. If at last I determine on this, I should wish to make you a visit at Chaumont and pass some weeks with you, if this will be convenient to you, for I am told that I could come there, and make my whole journey by water.¹ But do you want to have me come?

I am always, my very lovely friend, with the most perfect esteem, the most sincere and tender friendship,
Yours, &c.

Among his last letters from Passy, as Dr. Sparks publishes them, are an answer to the earlier letter from Sharp, above, and a letter to Dr. Crogan, on the difficult subject of American bishoprics. To these we may add one to a discontented artist, whose name is not preserved, and a note of compliment, which shows that his gout still annoyed him.

PASSY, 20th June, 1785.

SIR,—I have received the last two obliging letters which you have done me the honor to write me. I beg

¹ The castle of Chaumont is near Blois on the river Loire, about one hundred and thirteen miles south-west of Paris. Franklin means that he can go there by the river. An engraving of the castle will be found in the *Century Magazine* for March, 1888.

you to send one of the bustes to M. Le Roy of the Academy of Sciences, and keep the other until Mr. Carmichael, chargé d' affaires of the United States at Madrid, shall ask for it. As soon as you shall send me your memorandum of cost, you shall be paid.

Your complaints on the injustice of your being superseded seem to me to be founded upon a misunderstanding. You have not taken into consideration that the 13 United States of America are so many distinct governments, which have, each one of them, the right to employ such an artist as they consider fit, and are by no means obliged to employ one who has been employed before either by Congress or by particular states. The State of Virginia, then has done you no injustice, in taking another artist, although she has not perhaps made a better choice.

I have the honor to be with much esteem, Sir, your most humble and most obedient servant.

Franklin to Madame——.

FRIDAY, July 1st, 1785.

MADAM,— We are all very busy in the confusion of moving. But wishing very much to see you before going away and gout preventing my paying my respects at your home, I beg of you to do me the honor and the pleasure of breakfasting with me Sunday next at half past nine o'clock and you will greatly oblige me.

So soon as Castries, at the head of the French navy, heard of Franklin's departure, he wrote to express his regret that he had not known of it in time to offer him a passage in one of the King's frigates. Other friends at Court had arranged that he should have the

use of the Queen's litter, borne by Spanish mules, to take him to Havre; and he accepted this kind offer. In his journal he describes the departure thus:—

“Having staid in France about $8\frac{1}{2}$ years, I took leave of the Court and my friends, and set out on my return home, July 12, 1785, leaving Passy with my two grandsons, at 4 P.M.: arrived about 8 at St. Germain. M. de Chaumont, with his daughter Sophia, accompanied us to Nanterre. M. le Viellard¹ will continue with us to Havre. We met the Miss Alexanders² with Mrs. Williams, our cousin, who had provided a lodging for me at M. Benoit. I found that the motion of the litter lent me by the Duke de Coigny, did not much incommode me. It was one of the Queen's, carried by two very large mules, the muleteer riding another. M. le V. and my children in a carriage. We drank tea at M. Benoit's, and went early to bed.”

He wrote to his sister in Boston from St. Germain's.

Franklin to Mrs. Mecom.

ST. GERMAIN, twelve miles from Paris,
13 July, 1785.

I left Passy yesterday afternoon, and am here on my way for Havre de Grace, a seaport, in order to embark for America. I make use of one of the King's litters, carried by mules, which walk steadily and easily, so that I bear the motion very well. I am to be taken on board a Philadelphia ship on the coast of England, (Captain Truxton) the beginning of next month. Not

¹ One of his intimate friends, with whom he corresponded until near the time of his death.

² See vol. i. p. 86. One of these young ladies married the son of Jonathan Williams.

having written to you since the letter, which contained a bill on Mount Vernon, and as I may not have another opportunity before my arrival in Philadelphia (if it pleases God I do arrive), I write these particulars to go by way of England, that you may be less uneasy about me. I did my last public act in this country just before I set out, which was signing a treaty of amity and commerce with Prussia. I have continued to work till late in the day; 'tis time I should go home, and go to bed.¹

The next night they lodged at Mantes; and the next morning, proceeding early, came to Vernon to breakfast. Here they received a visit from the Viscount de Tilly and his countess. At six in the afternoon they arrived at the palacé of the Cardinal de la Rochefoucauld,² at Mantes, where they were expected and hospitably welcomed. The next day brought them to Rouen, where they were entertained by Mr. and Mrs. Holker; and here he rested for a day. The Academy of Rouen sent a deputation with its compliments, and a present of a "Magic Square," which Franklin says he did not understand. "We had a great company at dinner," he writes, "and at six went in a chair to the president's where were assembled some gentlemen of the robe. We drank tea there, awkwardly made, for want of practice, very little being made in France."

His grandson gives these details: ³ —

¹ See Appendix D.

² Dominic de Liancourt, born in 1713. He was a relative of Franklin's near friend, the Duke de la Rochefoucauld. But in the Revolution he took ground against the Reformers, emigrated, and died at Münster in 1800.

³ The manuscript gives no clew to the address of this note. But it may be guessed that it was written to Jefferson.

*Temple Franklin to [Jefferson?]*HAVRE, 20th July, 1785.

DEAR SIR, — I know you will learn with pleasure that my Grandfather has been able to effect his journey hither without any addition to his usual sufferings; and that he is in good health and spirits. He does not now foresee any difficulty in getting to America: the bargain with Captain Truxton is terminated, and he is to be at Cowes by the 1st August. We wait here only for the arrival of part of our Baggage, which comes by water from Rouen and which we expect in a day or two. We shall then probably freight a small vessel to convey us to the Isle of Wight. But whether our Baggage arrives here or no we shall certainly leave this by the 26th. Mr. Hudson therefore should not delay his departure if he means to accompany us. . . .

Permit me, my dear Sir, before I conclude to make you my most thankful acknowledgements for the several marks of Friendship you have been pleased to confer on me during our short acquaintance; and particularly for the favourable opinion you are pleased to entertain and give of me to your friends, in the introductory letters you have honoured me with. Believe me I am extremely sensible of all your kindness that it will ever be my Ambition to merit your Esteem, which alone can entitle me to a continuation of the Favors you have already conferred on, Dear Sir,

Your most affectionate and grateful
My Grandfather desires humble servant
me to present you his
most affec^t respects and
joins me in best wishes for
your health and happiness

P.S. Mr. Hudson is just arrived.

Sunday the 17th they made their longest journey yet, and came to Bolbec, and on the next day arrived at Havre. Here the governor, the intendant, and other gentlemen, visited them; and they remained until July 22, when they went on board the packet for Southampton, and sailed. They had head winds, and did not reach Southampton until "between eight and nine" Sunday the 24th. Here Franklin met his son, Gov. Franklin, Mr. Williams, and Mr. Alexander. The Bishop of St. Asaph, his wife, and "Miss Kitty" came to Southampton to spend the last days with him. On the 27th he embarked on board the London packet, commanded by Thomas Truxton, who afterward attained a position so honorable in the navy. The passage was long, but agreeable; and Franklin arrived in Philadelphia on the 14th of September. "My son in law came with a boat for us. We landed at Market Street Wharf, where we were received by a crowd of people with huzzas, and accompanied with acclamations quite to my door. Found my family well.

"God be praised and thanked for all His mercies."

On the 2d of December he read to the American Philosophical Society the interesting paper on "Improvements in Navigation" and similar subjects, which has been printed in his works. It was translated into French, and printed in Paris the next year. It was written at sea; and the range of its subjects, and the spirit with which it was written, are enough to show that he did not suffer greatly on the voyage.

Thus happily ended the service of *Franklin in France*.

In the last year of his life in Paris the curious and celebrated intrigue of the necklace, which the Cardinal Rohan thought he presented to Marie Antoinette, developed itself. There are one or two allusions to it in the Franklin and Jefferson correspondence; and, as the reader has seen, Franklin was in correspondence with de Rohan himself, and thought better of him than he deserved. It was on the 28th of July, 1784, that de Rohan was first promised that the queen should meet him. It was on the 1st of February, 1785, that the necklace was actually delivered. It was on the 30th of July that the first payment was due, on the 15th of August that all parties were arrested, and on the 31st of May, 1786, that sentence was pronounced.

Franklin's old friend, de Veillard, gives him the information in the following letter. The same letter shows what became of the young lady whom Temple Franklin did not marry, unless, indeed, this be her sister: —

M. le Veillard to Franklin.

PASSY, 9 October, 1785.

. . . You will be astonished to hear that we have just arrested in his full dress, and sent to the Bastille, a cardinal, who is a prince and bishop of Strasburg. This cardinal, who has an income of more than twelve hundred thousand livres, took from a jeweller's on credit, and on the Queen's account, a diamond necklace, worth one million six hundred thousand livres. Accused by her before the King, he has produced a note, which, as he pretends, he believed to have been written and signed by her. His trial is going on before the Parliament of Paris, and his sentence will be pronounced after the vacation. He is in the uncomfortable

dilemma of being able to prove that he is not a knave, only by proving that he is a fool.

Mademoiselle Brillon is to be married on the 20th of this month, to M. Viasal de Malachet, son of one of the King's secretaries. He is a counsellor at the Court of Aids, and is to leave that business to take the office of M. Brillon, with whom the young couple are to live.

With reference to the necklace, Jefferson says, in a letter to Mrs. Adams, —

Jefferson to Mrs. Adams.

SEPT. 4, 1785.

We have little new and interesting here. The Queen has determined to wear none but French gauzes hereafter. How many English looms will this put down? You will have seen the affair of the Cardinal de Rohan so well detailed in the Leyden Gazette, that I need say nothing on that head. The Cardinal is still in the Bastille. It is certain that the Queen has been compromised without the smallest authority from her, and the probability is that the Cardinal has been duped into it by his mistress Mad. de la Motte. There results from this two consequences not to his honor, that he is a debauchee and a booby. The Abbés¹ are well. They have been kept in town this summer by the affairs of the Abbé Mably. I have at length procured a house in a situation much more pleasing to me than my present, it is at the grille des Champs Elysees, but within the city. It suits me in every circumstance but the price, — being dearer than the one I am now in, — it has a clever garden to it.

¹ Morellet and La Roche, — almost always spoken of together in this correspondence, — great friends of Madame Helvetius.

De Rohan was liberated by an order of the Parliament in June, 1786. And it is pathetic to see that such was the unpopularity of the Court, that this booby and *débauché* was cheered by an immense crowd of people who were waiting around the Bastille, who simply wished to express their contempt for the Queen and all that concerned her.

CHAPTER XIX.

THE FRENCH REVOLUTION.

A REVIEW of Franklin's stay in France would hardly be complete without some reference to what he saw or knew of the portents of the French Revolution. A good deal has been written and said of the effect which the American Revolution had in bringing on the changes in France. It would seem as if Franklin and his friends must have foreseen something of those effects, and as if they were better prepared than most men of their time to foresee the consequences.

In a general way, it is certainly true that the interest of the French nation in the American Revolution was one of the active causes which led to the revolution of their own government. But so soon as one comes to detail, it is clear enough that the contribution which was made by the experience of the French soldiers and their officers to the working out of the events which crowded French history for twenty-five years, is only an indirect contribution.

Mr. Stevens, in his recent book on the French Revolution, makes a very careful statement on this subject in these words: "The influence of the American Republic is hardly to be seen at all among the republican leaders of the Revolutionary period, and cannot be traced in the purely republican constitutions, while it was a factor of paramount importance in the overthrow

of the French monarchy and throughout the history of the Constituent Assembly, and left its mark upon the Constitution of 1791."¹ Even this last statement is perhaps too strong.

Our readers will observe that Franklin was in relations, sometimes quite intimate, with many of the men who thought themselves far advanced in political opinion, and who were therefore regarded as natural leaders of the country, so soon as the hold of what we now well enough call Bourbonism began to give way. His early relationship with Mirabeau, "the friend of man," has been alluded to.² He calls Malesherbes "my good friend." Dupont de Nemours, another friend, held the important executive post of Secretary of the Constituent Assembly, — that assembly which clumsily forged on in its paper work while the realities of revolution were going on with weapons which, after all is said, are mightier than the pen. The Duke de La Rochefoucauld; Lafayette, the Montesquieu of his generation; Rochambeau, who became quite an important actor; Chastellux and perhaps other leaders, — may be spoken of among persons who knew Franklin so intimately that they knew his views on political matters, even where he had not put them on paper.



MALESHERBES.

There is another class of men also, of inferior impor-

¹ Stevens's History of the French Revolution, p. v., American Preface. Condorcet wrote a separate treatise on the subject.

² A letter from him to Price introduces the younger Mirabeau, in 1784 (see p. 388).

tance, of whom one constantly finds the traces in the correspondence, who played as well as they could their little parts as the great movement went forward. Such men were the two abbés, Morellet and La Roche, who have been referred to. Morellet fills half a volume of his memoir with references of no great importance to his intimacy with Franklin, and made it perhaps a convenient stock in trade as the revolution went forward. The tokens of deference and respect which the National Assembly paid to Franklin on his death are a sufficient indication of the friendship in which he was regarded by its leaders. Condorcet's admirable address at the state occasion when Franklin's life was commemorated, furnishes us with some anecdotes which we should not have had elsewhere. Mr. Adams's recollections of Condorcet have already been cited, and the reader knows already how close was his relationship with the physicists of his time whom he was fond of meeting in the Academy.

But it is important to observe that no one of these men had any idea of the future which was before them, even as late as 1787, two years after Franklin left France. It would perhaps be fair to say that they were even blinded by the quietness and simplicity of the arrangements in America. They saw new constitutions, as they were called, go into effect with the same quietness and simplicity with which a well-regulated family goes on in its affairs after a new carpet has been put down in the place of an old one, or after it has removed from a smaller house to a larger. In point of fact, as every American knows, the new constitutions of the States followed very precisely the lines of their old colonial charters, and introduced very slight changes, perhaps no radical changes, in the daily conduct of

life. With us in Massachusetts, as has been well pointed out by Mr. Richard Henry Dana, it was George the Third who undertook to make the innovations in the government. The people of Massachusetts went to arms to sustain the condition of things which had existed for a century. But what France saw, was that a new "constitution," so called, for Massachusetts or Virginia went into operation at once. And the illustration of the Constitution of the United States, if they considered it at all, would have sustained the impression that a constitution has a certain power to establish itself on the mere "say so" of those who have voted it. It is indeed a pathetic thing to see how the theorists, like Dupont and even Lafayette, up to the last moment, hoped that the writing down well-considered constitutions in words was going to have a magic power in re-establishing the state.

Mr. Carlyle may be taken as the representative of that modern school which regards the French Revolution as a catastrophe as certain and necessary in the history of the world as is the cataract of Niagara when the waters of the Great Lakes arrive at the change of level which begins with the valley of the St. Lawrence. Mr. Carlyle teaches us that the falsehood ingrained in every relation of French society, French art, French literature, and French administration, was so fundamental to the whole system that any mere change of form was impossible. There was nothing to build upon, as he holds, in the condition of French society. No change could be effected, therefore, unless the architect overthrew all he found, and laid new foundations upon some stratum nearer the Rock of Ages.

"It is Spiritual Bankruptcy long tolerated; verging now towards Economical Bankruptcy, and becoming

intolerable. For from the lowest dumb rank, the inevitable misery, as was predicted, has spread upwards. In every man is some obscure feeling, that his position is a false one, — all men, — in one or another acrid dialect, — as assaulters or defenders, must give vent to the unrest that is in them.”¹

Whether this extreme view be true or not, it is certain it was not the view of the men who led the liberal movement in the outbreak of the French Revolution. It was not the view of the persons who surrounded Franklin, and with whom he corresponded. To an American it is very curious to see that at the time it was not in the least the view of Thomas Jefferson. In after-years, Jefferson would say very much what he chose about the impressions which he had had regarding the French Revolution. He managed to give his Virginian admirers the notion that he had a great deal to do with advising those who directed it. He says, more than once, that, if his advice had been taken, all would have been well. Of all of which the truth is, that he was in intimate relations with Lafayette, that he knew Mirabeau and others of those who were most prominent in the first Assembly of Notables. On the other hand, in almost every point of his private or official correspondence, where he could express an opinion, he shows that he had no conception whatever of the magnitude of the events before him, and that he had no knowledge whatever of that depth of French misery and that entanglement in all social order which Carlyle and the extreme French writers of to-day so vividly portray. It is impossible to avoid the question whether Carlyle and they do not overstate that misery, and whether they are not deceived by the event into

¹ Carlyle's French Revolution, vol. I.

the supposition that the event, in the form in which it came, could not have been avoided.

Franklin's own correspondence with his French friends after he left Paris was quite full till 1790. Before that time, the French Revolution, as we now understand it, was well advanced. His correspondence gives, therefore, from month to month, quite a distinct history of the change from hopes to fears, and from fears to abject misery, on the part of the men who were closest to him. We will attempt to digest from these letters, and from the correspondence through some years of Mr. Adams and Mr. Jefferson, such a series of observations as may show what was the real drift of contemporary opinion. We think it proper to introduce the letters of Mr. Adams and Mr. Jefferson, because they were so closely connected with Franklin, that their opinions illustrate his, — as his illustrate theirs. As Jefferson succeeded him as the American minister to France, it was wholly by Franklin's introductions that he was first known there. He succeeded, so to speak, to Franklin's circle of friends.

We have shown in the first chapter of this book, that when Dr. Franklin first came to Paris, in the year 1763, his reputation there was that of an economist. As such he was welcomed by the Physiocrats, — men who, under other political names, were destined to have a large share in the discussions at the beginning of the French Revolution. But, as the student of the Revolution knows, these men, with the single great exception of the younger Mirabeau, had not a large share in the final movement, while, for the first two years after the Assembly of Notables, they were very important. Lafayette, who did play a leading part, was not one of that set. His liberalism came to him in other ways.

Franklin himself did not hesitate, on occasion, to express views of social order which show that he kept even with those theorists who went farthest. But, in his capacity as a diplomatist, he had few occasions to express these theories. Writing to Morris, on the 3d of December, 1783, he says, —

"All property, indeed, except the savage's temporary cabin, his bow, his matchcoat,¹ and other little acquisitions, absolutely necessary for his subsistence, seems to me the creature of public convention. Hence the public has the right of regulating descents, and all other conveyances of property, and even of limiting the quantity and the uses of it. All the property that is necessary to a man, for the conservation of the individual and the propagation of the species, is his natural right, which none can justly deprive him of; but all property superfluous to such purposes is the property of the public, who, by their laws, have created it, and who may, therefore, by other laws, dispose of it, whenever the welfare of the public shall demand such disposition. He that does not like civil society on these terms, let him retire and live among savages. He can have no right to the benefits of society, who will not pay his club toward the support of it."

His steadfast ridicule of hereditary nobility is well known, and the argument against such a system was never illustrated in a more amusing way than in his ridicule of the hereditary feature of the Order of the Cincinnati.²

¹ Probably a copyist's error. The word is not found elsewhere.

² Nor, indeed, was there ever a sadder instance of failure in the direct line than the world had in the worthlessness of Gov. Franklin, the doctor's son, and William Temple Franklin, his grandson.

He disliked, to the end, the double system of legislation, in which one house sits in judgment on the work of another. Still, he acceded to this in the Federal Constitution of 1787.

He wrote to Price in regard to the English Constitution, —

“When I think of your crazy constitution and its diseases, I imagine the enormous emoluments of place to be the greatest, and while they exist, I doubt whether even the reform of your representation will cure the evils constantly arising from your perpetual factions. . . . I apprehend the people will find out in time that they may be as well governed, and that it will be much cheaper to be governed, by the minister alone, no parliament being preferable to the present.”



DR. RICHARD PRICE.

It was not long after this that he introduced to Price the Mirabeau who is remembered, the son of his old friend, “the friend of man,” in the following note : —

Franklin to Price.

PASSY, Sept. 7, 1784.

Count Mirabeau, who much respects your Character, has desired a Line of Introduction to you. He is son to the Marquis de Mirabeau, Author of *L'Ami des Hommes*, is himself an excellent writer, and has prepared for the press a small piece, vastly admired by the best judges here, on the subject of hereditary nobility, which he proposes to get printed in England. I recommend him to your civilities and counsels, and am with sincerest Esteem and Respect, my own dear Friend

Franklin's old correspondent, Dupont de Nemours, who was the secretary of the Physiocratic Club when he first visited France,¹ assumed a position of great importance so soon as the Assembly of Notables was convened. He afterwards acted as secretary of the Assembly, and was well fitted for that post. He was the faithful student and enthusiastic admirer of Turgot. He had great influence with the committees of the Notables, and of the Constituent Assembly, and was steadfast in his efforts to impress the plans of reconstruction with the stamp of the broad views of his master. It is probably true, as Mr. Stevens suggests, that Dupont de Nemours had borrowed from the success of the American written constitutions an undue sense of the worth of a bit of paper or parchment. If this is so, he was misled, as we have said, as other men have been, who have not observed a distinct American characteristic. The people of the American States were used to written constitutions. The royal charters of their old government were written constitutions. They were accustomed to defer to them, and to consider their direction as well-nigh final. It was easy to surround a written constitution, made by the representatives of the people, with the same conditions of respect and obedience with which the charter had been regarded. This respect for constitutions remains in America to this day. One of the early observations of Mr. Agassiz when he first removed from Europe to America, was that five Americans cannot meet to discuss a question of physical science without choosing a president, secretary, and board of directors, and establishing a constitution under which they can serve. Under such a habit the newly built American constitutions were launched with perfect success. To

See vol. i. chap. i.

the admiration of physiocratic France, and indeed of philosophical Europe, the fancy of the "Social Contract" seemed to be made real. It was not strange that Dupont de Nemours and other men of the closet hoped for the new constitution of France that it might work marvels, for which, in fact, France was entirely unprepared.

It is clear enough that Franklin himself was entirely misled by the same impression. It is probably true that he had never descended very deeply into studies of the poverty, and results of the social inequalities, of France during the eight years of his second visit there. He was an old man ; and, for much of the time that he was in France, he was in ill health. Occasionally, but not often, he left Passy for a little journey in the country. But almost all his time was occupied in his diplomatic duties, in the oversight of national affairs, and in social intercourse with the agreeable circle of society which soon formed itself around him. The reader knows that for him the oversight of national affairs meant every sort of detail. He might be ordering a pair of shoes for an escaped prisoner : he might be purchasing the provisions for a squadron. As for social visits among people of position, John Adams thought Franklin wasted a great deal of time in such entertainments, — not giving, perhaps, attention enough to a maxim of the courts, which in later life he would probably have assented to, that "society is diplomacy." Now, the people among whom Franklin visited familiarly were not the *noblesse*, on the one hand ; and, on the other, they certainly were in no sort representatives of the masses. He lived in the house of Chaumont, who was one of these very farmers-general of whom we shall speak elsewhere, and for many years paid no rent for his quarters. There is more than one intimation that the people whom he saw

most were connected directly or indirectly with the *nouveaux riches*, of whom Chaumont was one.

For whatever cause, he did not apprehend any terrible convulsion, when, on the part of the crown, the first steps were taken which led, as it proved, to the first revolution. There is not a single expression known to us in any of Franklin's letters or papers, up to the time when he left France, which shows that he expected any considerable change in the government of that country. He refers to Louis XVI., whom he "loved as a father," as if his throne were as firmly established as ever was that of Louis XIV. He does not refer to any abject poverty or distress among the lower classes of France. He knew Arthur Young, whose travels in the South of France in 1784 are generally cited as the authority which exposes the extreme destitution of the peasantry there. But it is probably true that matters were, even then, improving economically. It may be that the wiser view to take of the eagerness with which the laboring classes eventually went into the Revolution, is to accredit it to a new-born sense of power rather than to ascribe it to the energy of despair.¹ Certain it is, that more external aspects of a probable change in government could be found in the years 1763 and 1764, when Franklin was first in correspondence with Dupont and Dubourg, than appear in his correspondence of 1783 and 1784. The well-meaning efforts of Louis XVI. had not been in vain, wrought out by such men as Vergennes and Turgot. Thirteen years of peace, with improving agriculture and increasing commerce, had not been in vain. And the condition of the French peasant was certainly better for the passage of the twenty-two years between 1764 and 1786.

¹ Compare Monsieur Taine's view in his French Revolution.

The same cannot be said of the finances of France. Their condition in 1763 seemed as bad as it could be. France was then exhausted by her unsuccessful efforts in the Seven Years' War. To modern students, indeed, it seems as if no ingenuity of man or devil could have devised worse means of gathering the revenues of a great nation. System there was none. For purposes of taxation the kingdom was really three kingdoms, administered under different methods, by different bureaus. An imaginary line might separate the farms of two peasants who paid their taxes in entirely different ways, as if they had been subjects of two crowns. The only resemblance was, that in each case the last sou was squeezed out of each taxpayer. The money thus collected dribbled into the royal treasury by the most clumsy and leaky system of conduits. There were losses, honest and dishonest, at every turn. Worst of all, probably, for social and moral effects, was the system of collecting revenue by the farmers-general, who handled almost all the money paid. They contracted to make a particular tax pay so much to the crown. Of course, such men never lose any thing. If, by any chance, the taxes do not yield the amount needed, the crown has simply a bankrupt to turn to. On the other hand, a prosperous year and an enlargement of receipts are of no advantage to the royal treasury. The crown must lose and cannot gain under such contracts. There is no wonder, that, in all countries where this system of "farming the revenue" had been in force, the tax-gatherer or the "publican" has been as unpopular as he was in Palestine in the Saviour's time, or in France one hundred years ago.

There is a very curious and valuable correspondence, largely from the pen of Jefferson, in which he reviews

this system very thoroughly, and begs the French Government to refuse to renew the contracts with the farmers-general for the duties on tobacco. Jefferson's letters are in his best style; and they show conclusively that the royal treasury would gain immensely if it would open to everybody the trade in tobacco, establishing a fixed revenue duty, and collecting that duty by its own officials. But the finance minister did not dare take this critical step. He did not dare offend the farmers-general. The truth was, that here was a class of men of great wealth, and of the power that attends great wealth, who were absolutely necessary to the crown. The Mayors of the Palace did not control the *Rois Fainéants* with more severity than these money-kings used as they handled poor Louis XVI. The additional revenue which Jefferson's plan would have given the crown would have been a considerable item for bridging the gulf of the terrible deficits of Neckar and his successors. But the crown did not dare try an experiment so heroic. This was the best advice Jefferson gave anybody in France, and this advice was not taken.

The reader has observed in Franklin's journal, that, on his way to Havre, as he returned to America, he visited Cardinal de la Rochefoucauld at his palace at Gaillon.¹ The invitation came because of Franklin's near intimacy with the Duke and his grandmother.

The Duke de la Rochefoucauld was one of the most intelligent leaders of the opening years of the Revolution. He is one of the most interesting characters in all that history. It had been at his request that Young had

¹ "He would take no excuse; for being all powerful in his archbishopric, he would stop us *nolens volens* at his habitation, and not permit us to lodge anywhere else. We consented." — *Diary*.

travelled in France. He had done every thing which a proprietor could do to improve the condition of his own tenantry. A reader in 1888 would call him the Count Tolstoï of his time. With him Franklin maintained an intimate correspondence till his own death.¹ It will be convenient to the reader if we place together the passages in these letters which relate to the progress of the Revolution.

In writing to the Duke de la Rochefoucauld, in 1787, Franklin acknowledges three letters from him which he had received since he left France. The Duke had just been named as one of the first Assembly of Notables. Franklin says, —

Franklin to Rochefoucauld.

APRIL 15, 1787.

I am glad to see that you are named as one of a general assembly to be convened in France. I flatter myself that great good may accrue to that dear nation from the deliberation of such an assembly. I pray God to give it His blessing.

Two days after this letter to Rochefoucauld, Franklin wrote to Chastellux, another of the persons interested in America. In this letter, there is this allusion to the Assembly: —

¹ He was born in 1747, and died in 1827. Napoleon restored his title of Duke, which had been abrogated in the Revolution, in 1809. He travelled in America in 1795-1797, and his narrative of his journey is full, interesting, and instructive. Readers in New England should remember that he was son of the "Admiral D'Anville," who

"Had sworn by cross and crown
To ravage by fire and steel
Our helpless Boston Town."

Franklin to Chastellux.

APR. 17, 1787.

The newspapers tell us that you are about to have an Assembly of Notables, to consult on improvements of your government. It is somewhat singular that we should be engaged in the same project here, at the same time. . . . I hope both assemblies will be blest with success, and that their deliberations and counsels may promote the happiness of both nations.

But in writing, at nearly the same date, to the Abbés Chalut and Arnaud, and in a very full letter to Lafayette, and in another to Morellet, he makes no allusion whatever to the Assembly of Notables. What he does say, and what he does not say, taken together, show that he does not think that there is any terrible crisis before the French people or their King.

On the 12th of July, Rochefoucauld writes to Franklin, "France, whom you left talking zealously of liberty for other nations, now begins to think that a small portion of this same liberty will be a very good thing for herself." After a very sensible statement of the position, Rochefoucauld says, "I much fear that our first steps in the career of liberty will not be guided by that sound reason which alone can lead us promptly and permanently to happiness."

It will be a convenience to the reader, as we follow the correspondence of the three American envoys, if we bring together the dates of these first steps of the Revolution. The Assembly of Notables first met Feb. 22, 1787. It was dissolved May 25. Calonne was dismissed April 9, 1787. The Notables met again in November, 1788, and "disappear," as Carlyle says,

Dec. 12. The States-General meets May 4, 1789; the Tennis Court meeting is June 22, 1789; the Bastille is taken July 14, 1789.

It will be interesting to compare, at these dates, the opinions of the American envoys and their nearest friends. Let us compare Jefferson's view of the first meeting of the Assembly of Notables with Franklin's. Jefferson is writing one of his friendly letters to Mrs. Adams, on the day of the meeting.¹

Jefferson to Mrs. Adams.

PARIS, Feb. 22, 1787.

MADAM, — I am to acknowledge the honor of your letter of Jan. 29, and of the papers you are so good as to send me. They are the latest I had seen or have yet seen. They left off, too, in a critical moment, just at the point where the malcontents² made their submission, on condition of pardon, and before the answer of the government was known. I hope they pardoned them. The spirit of resistance to government is so valuable on certain occasions that I wish it always to be kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere. It is wonderful that no letter or paper tells us who is President of Congress, though there are letters in Paris to the beginning of January. I shall hear when I come back from my journey, which will be eight months after he is chosen. And yet they complain of us for not giving them intelligence.

Our Notables assembled to-day, and I hope before the

¹ Now printed for the first time, from the manuscript in the State Paper Department. His Virginian biographers preferred to omit it.

² In Shays' Rebellion in Massachusetts.

departure of Mr. Cairnes that I shall have heard something of their proceedings worth communicating to Mr. Adams. The most remarkable effect of this commotion as yet is the number of puns and bon mots it has generated. I think, if they were all collected, it would make a more voluminous work than the Encyclopedie. This occasion, more than anything else I have seen, convinces me that this nation is incapable of any serious effort but under the word of command. The people at large view every object only as it may furnish puns and bon mots; and I pronounce that a good punster would disarm the whole nation, were they ever so seriously disposed to revolt.

Indeed, Madam, they are gone. When a measure so capable of doing good as the calling of the Notables is treated with so much ridicule, we may conclude the nation desperate, and in charity pray that heaven may give them good kings.

This cavalier indifference to the prospect of reform is not quite in accord with the statements he put in writing forty years after, as to his interest in the crisis, and his share in it. But it is his contemporary expression. It is not the accident of one letter. From the same correspondence of all that summer, the following fragments are enough to show how little he felt that a crisis for France was in the immediate future. The following letter discusses war between France and England, as if she had no difficulties at home:—

Jefferson to Mrs. Adams.

JULY 1, 1787.

I hope all the disturbances of your country¹ are quieted, and with little bloodshed. What think you of

¹ Massachusetts.

present appearances in Europe? The Emperor and his subjects? The Dutch and their half king, who would be a whole one? In fine, the French and the English? These new friends and allies have hardly had time to sign that treaty which was to cement their love and union like man and wife, before they are showing their teeth at each other. We are told that a fleet of six or twelve ships is arming on your side the Channel. Here they talk of twelve or twenty, and a camp of 15000 men, but I do not think either party are in earnest. Both are more laudably intent on arranging their affairs.

The Same to the Same.

JULY 10, 1787.

We are impatient to hear what our Federal Convention are doing. I have no news from America later than the 27th of April, nor is there anything here worth mentioning. The death of M. Saint James and the flight of M. de Calonne are perhaps known to you. A letter of M. de Mirabeau to the King of Prussia is handed about by the colporteurs.

JULY 16.

The King and Parliament are at extremities about the Stamp Act, the latter refusing to register it without seeing accounts, &c. M. de Calonne has fled to the Hague.

AUG. 30.

I am afraid by the American papers that the disturbances in Massachusetts are not yet at an end. Mr. Reuben, who is arrived here, gives me a terrible account of the luxury of our ladies in the article of dress. He says that they begin to be sensible of the excess of it themselves, and to think a reformation necessary. That proposed is the adoption of a national dress. I fear, however, they have not resolution enough for this.

Date uncertain, but probably SEPT., 1787.

Mr. Littlepage^e is here, under a secret commission from the King of Poland; possibly it may prove a permanent one. Thank you for the American newspapers, and am glad to find that good sense is still uppermost in our country. Great events are, I think, preparing here,¹ and a combination of force likely to take place which will change the face of Europe. Mr. Grenville has been very badly received. An annunciation by Mr. Eden that England was arming was considered an insult. After this, and the King of Prussia's entrance into the territories of Holland, Mr. Grenville's arrival with conciliatory propositions is qualified with the title of "*une insulte gratuite*." I am not certain that the final decision of this country is taken. Perhaps the winter may be employed in previous arrangements, unless anything takes place at sea to bring on the rupture sooner. The Count de Cortes told me yesterday that the Prussian troops would retire from Holland the moment the States of Holland should make the expected reparation of the insult to the princess. May not the scene which is preparing make it necessary for Mr. Adams to defer the return to his own country?

Mr. Adams in London corresponded, as he always did, very faithfully with the Secretary of Foreign Correspondence at home. During the first session of the Assembly of Notables, and after its adjournment, there is but one allusion to French politics in the correspondence of the year, although he goes at great length into the condition of Europe. Lafayette, who was a member of the Assembly of Notables, in writing to him, on the 12th of October, says, "The affairs of this country,

¹ This does not refer to any popular discontent, but to projects of war.

considered in a constitutional light, are mending fast. The minds of the nation have made a great progress. Opposition is not, of course, free from party spirit, and many things are done or said which are not much to the purpose. But while desultory expeditions are rambling about, the main body moves slowly on the right road. This country will, within twelve or fifteen years, come to a pretty good constitution, . . . the best, perhaps, that can be framed, but one. May that one, the only one truly consistent with the dignity of man, be forever the happy lot of the sons of America. But I think a representation will be obtained in France much better than the one now existing in England." Here is no sign whatever, on Lafayette's part, of any fear of an engulfing revolution.

The one passage referring to France in Mr. Adams's full correspondence of this year is in a letter he wrote to Jay on the 30th of November, long after the first meeting of the Notables, and after the exciting events of the summer. He says, "If France should bear the king's speech¹ patiently, what are we to think? The fermentation in that kingdom occasioned by the ruin brought upon it by that administration of whose merits you have long formed an accurate judgment, and by the provincial and national assemblies, threatens much confusion."

This shows distinctly that Mr. Adams thought the difficulty of France was in bad administration at Court, and that it was not fundamental, or derived from any particular sufferings of the people. He goes on to say, "It is not possible to foresee what the effects will be. I own myself afraid that the patriots in France will prove as unskillful and unsuccessful citizens of free

¹ Meaning the King of England.

government as those in Holland have been ; and tedious relaxation, if not the most serious divisions, is to be apprehended. If, however, the House of Bourbon is unable to preserve her dignity on this occasion, I am clearly convinced that the pride and arrogance of England will rise so high as to demand the demolition of Cherbourg and attempt to sever South America from Spain." It will be observed here that he considers the House of Bourbon as master of the situation, so far as any one is, in France. It never once occurs to him that the House of Bourbon is to be swept away, or that any thing like the fundamental revolution which took place was before them.

On the 9th and 10th of May, 1789, matters are more advanced ; and Jefferson writes to Adams and to Jay in the following terms :—

Thomas Jefferson to John Adams.

10th MAY, 1789.

The revolution in this country (France) has gone on hitherto with a quietness and steadiness and a progress unexampled. But there is danger of a balk now. The three orders which compose the states general seem likely to stumble at the threshold on the great preliminary question, "How shall they vote ; by orders or persons?" If they get well over this question there will be no difficulty afterwards, there is so general a concurrence in the great points of constitutional reformation. If they do not get over this question, and this seems possible, it cannot be foreseen what issue this matter will take.

It proved, as the world knows, that they did not get over this question. The issue which the matter would

take became critical, and, indeed, changed the constitution of France and of the world. But it seems very clear that Jefferson, even at this time, although he says, "It cannot be foreseen what issue the matter will take," did not apprehend it was going to take the issue which in fact it did. When the Notables first met, he had spoken to Jay as coolly as he spoke to Mrs. Adams. His words are, —

Jefferson to Jay.

PARIS, Feb. 23, 1787.

SIR, — The Assemblée des Notables being an event in the history of this country which excites notice, I have supposed it would not be disagreeable to you to learn its immediate objects, though noways connected with our interests.

At the end of the year 1788, the Notables were called together for the second time. Jefferson's notes on their meeting are now full and interesting, with curious discussion as to what the States-General will or can do. But there is not the slightest intimation that a great revolution impends, unless it is in this paragraph: —

"If the States-General stop here for the present moment, all will probably end well; and they may, in future sessions, obtain a suppression of *lettres de cachet*, free press, a civil list, and other valuable modifications of their government. But it is to be feared that an impatience to rectify everything at once which prevails in some minds, may terrify the Court, and lead them to appeal to force, and to depend on that alone."

It will be observed that Jefferson's doubts or fears here are, that the Court may recede from its favorable

attitude. There is no thought on his part that the people or the third estate have any power to control the Court.

After the States-General meet, Jefferson's account is an admirable current history. He reports once or twice a month to the Congress at home, not asking now whether the Assembly does or does not concern America. Still, on the 9th of May, 1789, he said to Jay, —

Jefferson to Jay.

PARIS, May 9, 1789.

The revolution of this country has advanced thus far without encountering anything which deserves to be called a difficulty. There have been mobs in a few instances in three or four different places, in which there may have been a dozen or twenty lives lost. The exact truth is not to be got at. A few days ago, a much more serious riot took place in this city, in which it became necessary for the troops to engage in regular action with the mob, and probably about one hundred of the latter were killed. Accounts vary from twenty to two hundred. They were the most abandoned banditti of Paris, and never was a riot more unprovoked and unpitied.

Neither this nor any other of the riots have had a professed connection with the great national reformation going on. They are such as have happened every year since I have been here, and will continue to be produced by common incidents.

The riot thus spoken of, as if it were a mere incident in all Parisian life, is the same which Carlyle describes as an essential step in the great movement, in the second chapter of his fourth book, under the title "Grown

Electric." "At the fall of night, as the thing will not end, Besenval takes his resolution, orders out the Gardes Suisses, with two pieces of artillery. The Swiss Guards shall proceed thither, summon that rabble to disband in the king's name. If disobeyed, they shall load their artillery with grape-shot, visibly to the general eye, shall again summon; if again disobeyed, fire, and keep firing, till the last man be in his manner blasted off, and the street clear."

Carlyle says, "When the whole was over, there were four or five hundred dead men." So different is his account, which he takes largely from Dampmartin, who was an eye-witness, from the official account which people in Jefferson's circle of society received of such transactions. The contrast is worth noting, as one illustration more of men's ignorance of the history which is passing almost at their doors.

In his next letter to Jay, of the 17th of June, Jefferson begins to feel the importance of the crisis. "It is a tremendous cloud, indeed, which hovers over this nation, and he at the helm has neither the courage nor the skill necessary to weather it. Eloquence in a high degree, knowledge in matters of account and order, are distinguished traits in his character. Ambition is his first passion, virtue is his second. He has not discovered that sublime truth that a bold, unequivocal virtue is the best handmaid even to ambition, and will carry him farther in the end than the temporizing, wavering policy he pursues." This is Jefferson's hint with regard to Neckar, whom — as the reader sees — he did not like.

We may now return to make a few extracts from Franklin's correspondence with his French friends. We

have a letter from Thomas Paine, on the 22d of June, 1787. It makes reference to many things passing in Paris, but no allusion to the Assembly. On the 31st of July the Abbé Morellet writes to Franklin in the most hopeful way of the new Minister of Finance, the Archbishop of Toulouse. "He is a very well-informed and intelligent man, well skilled in managing affairs and men, familiar with all sound principles, and having resolution to put them in practice. You must know that entire freedom finds a place among the maxims of his administration. . . .

"Here is some hope for our country, but previous disorders and other causes may thwart or retard more or less the measures of this new administration and a crisis is at hand that may lay all our hopes in the dust."

This crisis was probably the dissolution of the Assembly of Notables, which followed soon after. In the end of the letter, referring to the refusal of the Parliament of Paris to register Calonne's decree, Morellet says, "The most acute politicians can foresee but imperfectly to what their demand of an Assembly of the States-General will lead. The event alone can enlighten us on this point. It may be seen by this fact, as well as by many others, that a great change has taken place in the ideas which nations have entertained of governments, and the relation between the governing and governed parties. I must still believe, in accordance with my principles concerning the perfectibility of the human race, that everything is for the best."

Franklin writes to Veillard, 17th February, 1788, —

"I have been concerned to hear of the troubles in the internal government of the country I love; and hope that some good may come out of them, and that they may end without mischief."

As late as the 8th of July, 1788, Condorcet writes to Franklin, "I hope that we shall get through, and that we shall have neither civil war nor bankruptcy, in spite of all that our pretended patriots are saying and doing to lead us to both."

In all this correspondence, it is not till the 25th of April, 1789, that there appears any intimation that the French Revolution, as we understand it, was coming on. That comes in a long letter from Veillard. And, as late as the 7th of November, 1789, Franklin writes, "The revolution in France is truly surprising. I sincerely wish it may end in establishing a good constitution for that country. The mischiefs and troubles it suffers in the operation, however, give me great concern."

This is a considerable body of testimony from high authority, all of which tells against the theory that the convulsion of the French Revolution was an absolute necessity of things. The other theory supposes, that, if Louis XVI. had been able to enlist such ministers, say, as Mirabeau, Bonaparte, Carnot, or Talleyrand,—if he had had such administrators as Napoleon had in plenty,—he would have bridged his financial crisis. He would then have done what he began to do, and what Joseph of Austria did for Austria,—he would have "inoculated France with liberalism," so that she should pass that crisis mildly, and not in the wild fever delirium of the natural infection. Singularly enough, our own envoys in France offered one panacea for the financial crisis, which was rejected. We begged the King to import our tobacco direct, and take the revenue into the royal treasury. The King, however, did not dare break with the farmers-general, and lost an opportunity which would have increased the revenue by

millions annually. This theory of the Revolution suggests, that, for three years, every thing drifted; that then, in the absolute want of leadership, either in the King or the aristocracy, the leaders of the third estate seized their vacant places. Meanwhile the Government itself had created the popular movement, which now turned against it. But, with a firmer hand in the administration, the King would have taken the people's side, as Cæsar did, and as Napoleon did, as against the Church and the aristocracy. He would have saved his own crown; he would have saved his wife's head; he would have saved his son's life, and his dynasty. But this was not to be, because the King was a Bourbon.

The American envoys, however, were used to seeing capable men fall into places of administration. They were accustomed to see the leaders of society lead society. They were singularly slow to believe that the men around the crown could be as incompetent as they proved. They had all the confidence of their countrymen in written forms of government. And they were not, therefore, among the first to apprehend the truth, that the Revolution in France was to be wrought out by processes wholly unlike those which created the Revolution in America. The American Revolution held to all existing institutions which were possible, after the King's authority was rejected, and his army defeated. The French Revolution made white paper of the past, and on that white paper wrote a new order of affairs.

CHAPTER XX.

CONCLUSION.

FRANKLIN survived his residence in France nearly five years. In those five years he was three years president of Pennsylvania, for that State then called its chief magistrate by the name of president; and he was a member of the convention which made the Federal Constitution. He maintained his interest in public affairs to the very last. He died on the 17th of April, 1790, eighty-four years and three months of age.

When the news of his death arrived in Paris, the National Assembly was in session. Mirabeau announced his death in an eloquent address:—

“Franklin is dead,” he said. “The genius that freed America, and poured a flood of light over Europe, has returned to the bosom of the Divinity.

“The sage whom two worlds claim as their own, the man for whom the history of science and the history of empires contend with each other, held, without doubt, a high rank in the human race.

“Too long have political cabinets taken formal note of the death of those who were great only in their funeral panegyrics. Too long has the etiquette of courts prescribed hypocritical mourning. Nations should wear mourning only for their benefactors. The representatives of nations should recommend to their homage none but the heroes of humanity.

"The Congress has ordained, through the United States, a mourning of one month for the death of Franklin; and, at this moment, America is paying this tribute of veneration and gratitude to one of the fathers of her Constitution.

"Would it not become us, gentlemen, to join in this religious act, to bear a part in this homage, rendered, in the face of the world, both to the rights of man, and to the philosopher who has most contributed to extend their sway over the whole earth? Antiquity would have raised altars to this mighty genius, who, to the advantage of mankind, compassing in his mind the heavens and the earth, was able to restrain alike tyrants and thunderbolts. Europe, enlightened and free, owes at least a token of remembrance and regret to one of the greatest men who have ever been engaged in the service of philosophy and liberty.



MIRABEAU.

"I propose that it be decreed that the National Assembly, during three days, shall wear mourning for Benjamin Franklin."

The proposal was seconded by Franklin's near friends, Lafayette and La Rochefoucauld. The Assembly, by their president, the Abbé Siéyes, sent a letter of condolence to the Congress of the United States.

To this letter Washington, by direction of Congress, sent this reply:—

"That the loss of such a citizen should be lamented by us, among whom he lived, whom he so long and

eminently served, and who feel their country advanced and honored by his birth, life, and labors, was to be expected. But it remained for the National Assembly of France, to set the first example of the representative of one nation doing homage, by a public act, to the private citizen of another, and, by withdrawing arbitrary lines of separation, to reduce into our fraternity the good and the great, wherever they have lived or died.

“That these separations may disappear between us in all times and circumstances, and that the union of sentiment which mingles our sorrows on this occasion, may continue long to cement the friendship and the interest of our two nations, is our constant prayer. With no one is it more sincere than with him, who, in being charged with the honor of conveying a public sentiment, is permitted that of expressing the homage of profound respect and veneration with which he is, sir, your most obedient and most humble servant,

GEORGE WASHINGTON.

At the request of the Assembly, Condorcet, for so many years president of the Academy, pronounced before the Academy the remarkable eulogy which has already been alluded to.¹ It contains the parallel, which has been often cited, between Franklin's work and Voltaire's:—

“At the same time, Franklin made an adroit protest against the spirit of fanaticism, which had, naturally enough, thrown out deep and long roots among a people who had been driven by persecution from their homes. The sentiments of universal good will, which enter into pure and sweet natures as a matter of course, the

¹ It was delivered on the 13th of November, 1790, and printed the next year.

maxims of simple truth, which are never rejected by good sense, unless good sense have been corrupted by some false doctrine, led gradually to toleration and reason, and, if they did no more, made the enemy harmless whom it would have been dangerous to attack in front.

"Thus was it, that on both sides of the world, philosophy was rescuing the race of man from the tyrant which had degraded and oppressed it. But in this battle it fought with different weapons. In Franklin's world, fanaticism was an error of individuals, the unfortunate fruit of what they had read and of their education. It was enough to give them light, and the phantoms of excited imagination were dissolved. He had to cure the fanatics themselves. In Voltaire's battle, fanaticism, directed by civil policy, had built up a whole system of government on error; in its alliance with tyrants of every class, it had promised them to make men blind, so that they might be made slaves. Here it was necessary to awaken opinion, and to unite the friends of reason and of liberty against so dangerous a power. It was not enough to enlighten fanatics. They must be unveiled and disarmed.

"In this instance, — the only instance in history where there is such a parallel, — the two men who had conceived this work of salvation, each by himself, Voltaire and Franklin, were able to meet here in Paris in their old age, to enjoy their glory together, and to felicitate each other on their victory."

To a modern reader, this sounds a little like clap-trap, intended to please an assembly in which were many men who remembered the meeting there of Voltaire and Franklin twelve years before.¹

¹ See vol. i. p. 172.

When he comes to the outbreak of the Seven Years' War, he describes Franklin's unsuccessful effort to unite the colonies: "We will not praise him for having foreseen a revolution which every thing foretold, but that he sought to save it from the evils which it was to bring on England and America. He would have made it the work of reason, and not that of force. He was convinced that if the conduct of men was to be right, they must themselves be enlightened; he did not expect to govern their passions by exciting them. You would have good if you did right. Success consists — and he knew it — in knowing how to wait; in preparing for obstacles sometimes, and always in avoiding them. He detested that turbulent and bloody policy which boasts of establishing itself on the ruin of the edifice of the felicity of nations, and is glad to surround the altar of liberty with victims." This is Condorcet's side-hit at what he supposed to be the drift of his own time. He takes an occasion to imply that the old French war was connected with the horror with which the colonists regarded the Jesuit order. He says, —

"The Jesuits were still at work when Canada belonged to France. Their influence among the savages was greatly dreaded, and it was feared that they might be soldiers of the Inquisition. The French laws were still those laws of Louis XIV. which were so hateful to Protestant Europe. On that side of the Atlantic the rapid change of feeling was not known, which had tempered the execution of these laws in advance, while it foretold their fall. For a time, the fear of France, which resulted from it, might have been relied upon to balance with the English colonies the desire of breaking their chains, and perhaps might have been strong enough to compel them to submit to new ones."

In another very careful passage, which also had its lesson for the time, he draws the distinction between a constitutional convention called to make a fundamental law, and a legislative assembly: "The American succeeded in escaping at once the inconvenience of an uncertain Constitution, all tied up with the interests of those who were to be the executive under it, and the other inconvenience of an absolute Constitution, which learns nothing from progress nor from the changes of the human race, and so in itself contains the germ of all misery." He thrusts in a plea for a single chamber, in the establishment of a legislative assembly, having, on this point, the advantage of Franklin's opinion. He describes with spirit Franklin's arrival in France, in a passage from which we have already quoted. "He knew that he did not represent his country with the ministry, so much as he represented it with the nation, to which really he was commissioned." "The men who had been secretly disposed to the love of liberty by reading books of philosophy, were enthusiastic for the liberty of a foreign nation, while they were waiting for the chance to recover their own; and they seized with joy this occasion of publicly avowing sentiments which prudence had compelled them to conceal." It is here that the phrase comes, which has been often quoted, that, as a diplomatist, "Mr. Franklin observed much and did little."

"While the war lasted, France afforded him the spectacle well worthy of his observing genius. He saw there opinions announced in public manifestoes which had been condemned when they appeared in works of philosophy. He saw a people which made no struggle against its own chains, wild with delight that they

could break those of another hemisphere. He saw republican principles openly professed under an arbitrary government. He saw the rights of men established and discussed to their very foundation in books, while they were violated by the laws and by authority. He saw political light which was worthy of the most enlightened time and the wisest people shining in the midst of a crowd of barbarous institutions. He saw a nation, which in its conduct was obedient to maxims of servitude, applauding the maxims of liberty when they were uttered on the stage. He saw a nation free in its sentiment, in its opinions, even in conversation, bearing with a certain indifference the restraint imposed upon its action by laws which it despised. He might easily have foreseen that a people which showed itself so worthy of liberty would soon gain it, and that the revolution of France, like that of America, would be one of those events which human reason withdraws from the empire of chance and of the passions."

These are pathetic words, when one notices exactly the date at which they were spoken. Of Franklin's life at Passy, Condorcet says, "As soon as his country was so well established that she had no need of seeking for partisans, his life became more retired and peaceable. In his retreat at Passy, there formed around him a circle, not large, of a few friends; and their company, with simple pursuits, occupied the close of a noble life. The course of it was broken by a painful illness, however, and from this moment his mind turned toward his own country. He left France, giving her, as the reward of her service, a great example, and lessons which could not long remain without profit. He sailed from an English port, to which he was accompanied by M. Le

Veillard, who, while he lived at Passy, had lavished all the cares of filial tenderness upon him, and wished to postpone to the last moment what was to be an eternal separation. Franklin only stopped on the shores of England. He was so generous that he spared his humiliated enemies the spectacle of his glory. The French were his friends; the English were relatives, — whose faults one is glad to forget, — with regard to whom we still respect the bonds of nature, though they have broken them by their injustice.”

Condorcet himself heard Franklin tell the story of the exportation of the rattlesnakes, and it is to this paper that we owe that anecdote. The address closes by a protest, addressed to the France of the time, against those exaggerated opinions “under which superficial or vain spirits conceal their lack of principles or the perversity of their plans.”

The Commune of Paris also ordered a public celebration, which was attended by a large assembly; and a eulogy was pronounced by Fauchet. This address reflects the passions of the place and time, and adds but little to our knowledge of Franklin, although Fauchet himself affects to have known him. The occasion renewed the interest which Paris, and, indeed, France, felt in one who was so long at home there; and the various references to him made then by men of arts, of letters, and of science, make a part of his history not unimportant.

As we close this story of the years which he spent in a country which he had so much loved, there is a certain satisfaction in saying that, before his death, that country had begun to repay the pecuniary obligation by which that King of France, whom Franklin loved “as

a father," had so assisted it in its great struggle. So soon as the nation was really new-born, by the adoption of the Federal Constitution, — so soon as Hamilton was placed in charge of its finances, — the regular payments on the French debt went steadily forward. They were, in some cases, indeed, anticipated; and among the few crumbs of comfort which came into the starving exchequer of France in those days of trial, were the payments which she received from the nation at whose birth she had assisted.

To this day, Franklin is cordially remembered in France. Nor can any one well study the history of the years of his life, which proved so important to his country, without constant reference to the archives of that other country which he loved next to his own.

APPENDIX.

A.—THE STORMONT PAPERS.

IT is one of the felicities of studying history a century after the events described, that, with the facilities given in the opening of archives, we are able to see both sides of the shield, and to understand the embroidery better, because we can look at the unfaded colors on the reverse. Lord Stormont, the English minister in France in 1776, is best remembered in America by Franklin's *mot*, in which, when any new fabrication regarding American affairs was brought him, he called it a "Stormont." We have, in the Sparks collection, a full copy of all Lord Stormont's letters to Lord Weymouth, who was the English foreign minister at that time. They were "most confidential" then: they are open to all readers now.

We could not print these letters in our first volume without interrupting the narrative. But the parts of them relating to Franklin seem too interesting to be left always in manuscript.

Our readers will be at least amused to see how often Lord Stormont was right in the information which he sent home, and how often he was wrong. There can be little doubt that the same spies furnished him, on his part, with information, who furnished Deane with his. The letters show plainly enough that Lord Stormont was not above inventing a fact when he thought it would be for his King's advantage, and that Franklin's *bon mot*, therefore, has good foundation. We copy every allusion to Franklin from his arrival in France to the beginning of the next summer.

*Lord Stormont to Lord Weymouth.*Most confidential. 12th DECEMBER, 1776.

I am forced to trouble Your Lordship with a few words more. My suspicions with regard to Franklin are confirmed. He came over on a forty-gun ship, to give more *éclat* to his mission, and was at Versailles last night as I am positively assured.¹ He pressed to be instantly received as a minister from the Independent Colonies, but in a Council that was held last night upon the occasion, it was resolved to decline this for the present. He talks the language I expected, represents the affairs of the Rebels as being in the most flourishing condition, says that General Howe never will dare to attack Washington, and adds that the Hessians, who were advanced before the main army, had attacked, and had been repulsed with loss.² It is not to be doubted that he will make France the most insidious and tempting offers, and there is, I think, but too much reason to fear he will draw her into the snare.

*Same to Same.*Most confidential. 15th DECEMBER, 1776.

I am assured that Franklin, who offers France the exclusive trade of North America, is much listened to, and there are indeed but too many indications of the insidious designs of this Court and too much reason to apprehend that in a few months they will pull off the mask and change these secret succours to the Rebels into open assistance.

*Same to Same.*Particular. Paris, 18th DECEMBER, 1776.

M. de Vergennes mentioned Franklin yesterday to several of the foreign ministers, to one of them, he said, that he

¹ In fact, Franklin did not arrive in Paris until Dec. 26.

² This is curious; for it was not true when Franklin sailed, but was signally true at Trenton, Dec. 25, a fortnight after the date of this letter.

knew it was reported that Franklin had sent him his instructions, but that that was utterly false, that as yet he had had no correspondence with him directly or indirectly. To another he intimated, that if Franklin, when he came to Paris, should wish to see him, he should not refuse his visit, and then made use of this expression. "*La maison d'un ministre est comme une Eglise, tout le monde y entre, mais on n'est pas exaucé pour cela.*" When I mentioned the ship that brought Franklin over, he said with a forced smile, "*C'est une visite de marque qui nous arrive là.*"

Same to Same.

Confidential. 18th DECEMBER, 1776.

Notwithstanding half Paris believed and still believes that Dr. Franklin has been twice at Versailles, notwithstanding the secret information given not only to me but to several other foreign ministers, of the language he held and the reception he met with there, I can venture to assure Your Lordship that he is not yet arrived. Letters from Nantes mention his having deferred his journey for some days, but assign no reason. It is said that he has brought over effects to a very considerable amount. The intelligence I had of the language he holds has this foundation in truth; it agrees with style of his conversations at Nantes, and his letters to his correspondents here, the general drift of which is to deceive the French into an opinion that the Rebels are in a most prosperous situation, and our army in a desperate one; that the reduction of America attempted by England is a wild impracticable project, not to be accomplished in twenty successful campaigns; that the die is thrown that North America will be forever a powerful independent state and the natural ally of France, with whom she will carry on a great trade, highly advantageous to both; all this is greedily swallowed by a nation that never stops to examine what it wishes to be true.

*Same to the Same.*23rd DECEMBER, 1776.

I am informed that the vessel which brought over Franklin, and which was not, as was at first believed, a forty gun ship, but only one of eighteen guns, has not carried her prizes into Nantes, or any French port. Franklin was, as it seems, aware of the difficulties in which that might involve him, and sent the ships directly to America. I cannot however, pretend to give this information as absolutely certain, it rests upon a secret account I have, of a letter from Franklin to Deane, in which he says that he had done so. I have again been assured that Du Chaffault has no orders to sail.

*Same to Same.*Most confidential. 23rd DECEMBER, 1776.

The news Your Lordship was so good as to send me arrived most opportunely in the very moment that Dr. Franklin and Mr. Deane were at Versailles,¹ and giving probably very different hopes: at least, My Lord, I am assured, and my information comes originally from a particular friend of Franklin's, I am assured, I say, that he and Deane were at Versailles on Saturday morning: if they were, it can scarce be doubted that they saw M. de Vergennes, as I know [he] said to others, but I believe indirectly to Franklin himself, that, as a public minister, his house was open to all who wished to see him.

If secret intelligence I have received can be depended upon, Franklin pressed to be admitted to an audience of His Most Christian Majesty, which was flatly refused, and came back from Versailles much out of humor and much displeased with the reception he met with.

¹ Franklin did not arrive in Paris till Dec. 26.

*Same to Same.*Secret. 25th DECEMBER, 1776.

As yet the ministers have no open communication with Dr. Franklin; that he has been at Versailles is, as I think, certain, but it is doubtful whether he did or did not see the ministers; M. de Vergennes assured more than one of my brother ministers yesterday, that he had not seen him. The least that can be inferred from this is, that they do not as yet mean to avow any intercourse with him. The suspicions of his character, of his artful designs, and of his being here in the double capacity of a negotiator and a fugitive,¹ spread as fast as I could wish them, and the absurd manner in which he has spoken of our late success, first flatly denying the fact, and afterwards saying that it was always Washington's intention to retire from Kingsbridge, will only serve to cover him with confusion when the detail of Gen. Howe's operations comes to be known.

That physician Du Bourg, whom Your Lordship has heard of, sent cards all over Paris, notifying to his acquaintances the arrival of Doctor Franklin. I have already observed to Your Lordship, that numbers of People resort to him, (Franklin), but there are very few persons of condition among them.

*Lord Stormont to Lord Weymouth.*Most confidential. 25th DECEMBER, 1776.

I am now inclined to believe that M. de Vergennes has not seen Franklin, as his asserting so positively that he had not seen him, and that too, when he was not called to speak upon the subject, would, if it were false, be a wanton prostitution of his honor and credit; I imagine Franklin saw only Monsieur Gerard.² Beaumarchais who is with him at all hours,

¹ Suspicions apparently set afloat by Stormont himself.

² He had not yet come to Paris. The first interview between the commissioners and Count Vergennes took place Dec. 28.

will of course be the common channel of intercourse, but if I am not greatly misinformed, Franklin and Beaumarchais, tho' so much together, are very suspicious and mistrustful of each other. I shall endeavour to discover what Franklin *does*, but shall seldom trouble Your Lordship with accounts of what he *says*: my reason, My Lord, is this; I have already traced him so far as to know that to different people he holds different and indeed, quite contradictory language; for instance, to some he says, that the Americans will never submit, to others that General Howe will soon bring about an accommodation. This weak conduct, which will soon be known in such a prating town as this, will confirm the general suspicion of his duplicity. Many of the French are already persuaded that he comes here, not only as a fugitive, but as one who is watching an opportunity to obtain his pardon, and who will correspond openly with the Congress, and secretly with the English Ministry. It matters not whether this has any foundation in truth, the very suspicion will sink him. I was assured not half an hour ago, that M. de Sartines warned one of the couriers under him, and who has his confidence, against all intercourse with Franklin, and made use of this expression, "*defiez vous de lui, c'est un maître fripon.*"

What offers Franklin may be authorized to make, and how far tempting offers may seduce this Court, I pretend not to say; but as to the advantage of employing him as a negotiator, it cannot, I think, be great. Whatever his talents may be, I am persuaded that, taking in all the circumstances, he is a less dangerous instrument than Deane. That he comes hither from the Congress, I mean that that is at least, one of the motives of his journey, I cannot doubt. A person who was in Deane's room about ten days ago overheard him say to an officer with whom I (sic? he) was treating; I cannot do more than I have already told you, you must wait till *my principal* comes. He will be here in a few days.

Same to Same.

1st JANUARY, 1777.

I have received through a secret channel, the following intelligence, which I can by no means warrant, but think it deserves some degree of attention.

Dr. Franklin certainly was at Versailles soon after his arrival here, (some accounts say that he stopped there in his way to Paris and stayed several hours;) he did not see any of the ministers, but had a secret interview with the youngest M. Gerard, who I suppose was chose, on account of his speaking English: the interview was in the *Dépot des Archives*.

Franklin gave him a memorial, the substance of which was as follows.

To demand a formal guarantee of the independence of the Colonies, this guarantee to be given by the whole house of Bourbon.

To offer on behalf of the Colonies, any treaty of commerce that should be thought most advantageous to their several dominions:

To propose, that the Colonies shall engage never to enter into any treaty or agreement with Great Britain, nor accept any proposal from her, how advantageous soever; besides this, the Colonies in case of a war with England offer to assist the House of Bourbon with their whole force in the prosecution of that war, and leave it to *them* to determine in what manner this force is to be employed.

The Colonies demand in return for this offer, the immediate assistance of France and Spain in the present emergency; they ask fifteen ships of the line and twenty frigates, and promise, as soon as their independence is established, to pay fifty thousand pounds sterling, as an acknowledgement for this assistance.

Such, I am told, is the substance of this memorial. After perusing it, the French Ministers sent a verbal answer through the same M. Gerard, to this effect. His Most

Christian Majesty being determined to give his principal attention to the reestablishment of his finances and the improvement of the internal government of his dominions in all its several branches, cannot think of entering into a war; he will however, be disposed to listen to the proposals of the Colonies and second their views, when they have given more consistency and stability to the independence they have assumed, but in the present moment, unless *L'Angleterre contre toute attente lui declare la guerre*, he can only give refuge and protection to such individuals as choose to come into his dominions, but is determined to take no part whatever in this contest but continue to observe the strictest neutrality. This answer seems to me, My Lord, the more probable, as it falls in with the present intentions and designs of this Court, which as far as I can judge, are not to take the Americans by the hand, till they appear able to defend themselves better than they have hitherto done.

Franklin, who came from Versailles much dissatisfied, has since that time made several endeavours to see M. de Vergennes, and I strongly suspect, did see him on Saturday last; I know, at least, that he and Deane went to Versailles on that day. M. de Vergennes has attempted to say to several persons of late, that it would be impossible for him to refuse to see Mr. Franklin, as it was a general rule with ministers to see and hear everybody. Franklin, who is much at home, is I am told, frequently visited by different persons of the Choiseul party, but particularly by M. de Stainville. The Duke of Choiseul, Franklin and Deane, met on Monday evening at a lady's house of my acquaintance, and I am much inclined to believe that the meeting was not accidental.

It is certain that the Choiseul party take Franklin by the hand, openly espouse the cause of the Rebels, and rail in all companies at the weakness of the present French Ministers, who, say they, lose such an opportunity of giving the natural rival and enemy of France a mortal blow. Your Lordship sees, that by this means, Franklin will become an instru-

ment of faction, which I hope will rather obstruct than facilitate his negotiations. The language he affects to hold to his intimates is, that he accepted this commission very unwillingly, that he told the Congress that all he could do, was to go to France and die there in their service; that the *stuff* was almost worn out, but that the last *thread* of it was at their disposal. I purposely repeat all this, to shew Your Lordship the canting tone he assumes.

I cannot yet presume to form any decisive judgement as to his success; my poor opinion is that the present French Ministers wish to wound but are afraid to strike; and tho' the offers he makes, may tempt them, they will think twice before they expose themselves and their country to the hazard of an unnecessary war; however this may be, I am persuaded that it is on our constant vigilance at home, and uninterrupted success in America, that the continuance of the public tranquillity must ultimately depend.

Same to Same.

8th JANUARY, 1777.

I am privately informed, that Dr. Franklin has said lately to some persons to whom he talks with seeming confidence, that the Court of France does not pay that attention to the affairs of America which he had reason to expect, but that he hopes to open their eyes by degrees. However this may be, for I know his duplicity too well to lay stress upon any language he holds, I may venture to assure Your Lordship that the impression his arrival made is wearing away very fast, for besides that nothing in this country is more than a day's wonder, his great intimacy with M. de Lauragais¹ and the Duke of Chaulnes,² naturally lessens him in the

¹ Now forgotten, alas! but in his day, Duke de Brancas. He was author of some tragedies. Born, 1733; died, 1823. He was a chamberlain of Napoleon, and one of Louis XVIII.'s House of Lords.

² Son of the Duke of Chaulnes, who had been Governor of Picardy, and Lieutenant-General. He was probably an old acquaintance of Franklin's.

public opinion ; I know too, that the attentions shown him by the Choiseul party, make M. de Maurepas consider him as an engine of faction, and as such, all his motions are carefully watched.

These circumstances, together with our great and constant success in America, which shews such an ascendancy as in consequences must be decisive, will I hope retard, if they do not entirely obstruct, all his political negotiations. What I think, My Lord, more immediately to be feared, is his commercial projects, which present a great and tempting lure. He and Deane are certainly in treaty with the Farmers General, and as I am told, offer them very large quantities of Tobacco at a very low price ; such offers are too tempting not to be accepted in some shape or other, unless we can prevent the execution of all such projects, which I imagine can only be done in one of these two ways, "either by getting immediately possession of Maryland and part of Virginia, or by stationing our cruizers in such a manner as to intercept the trade of those colonies with France and with the French West Indies."

Same to Same.

15th JANUARY, 1777.

I continue to watch Franklin's motions as narrowly as I can, but without seeming to pay much attention to them. I have frequent offers of intelligence with regard to him, but whenever those offers come from a suspicious quarter, which is often the case, my general answer is, that I know already that he is come here as a fugitive rebel, which is all I want to know with regard to him. Whenever he happens to be mentioned in company, I never appear to consider his arrival here as a thing of any importance, but either am totally silent, or talk of him in a ludicrous manner, and sometimes say for instance, that the effect of his fur cap seems to have worn out, and that I observe he is much less talked of, since the arrival of Piccini, the famous Italian composer. This,

My Lord, has more truth in it, than any one [un]acquainted with the turn of this Country, could easily believe.

Same to Same.

19th FEBRUARY, 1777.

Two more American vessels about to sail from Nantes, supposed for Philadelphia, laden with salt and arms. "Messrs. Pennet and Rumsey, two American agents, have been employed in fitting out these vessels, which take in the arms they are to carry at Corroné, nine miles below Nantes."

Same to Same.

26th FEB. 1777.

I hope your Lordship has received my letter by Mr. Hobart, informing you of the American privateer, the Reprisal, having taken the packet from Falmouth and four English Merchantmen:¹ these ships the Reprisal carried, not into Port Louis, as my first information said, but into Port L'Orient. I told you, My Lord, that I would press M. de Vergennes strongly for the delivery of these ships, with their crews cargoes, etc. I went to him yesterday morning.

I observed to M. Vergennes that the Reprisal had been much to favorably treated at Nantes, that she had not only been furnished with everything she wanted, but had been suffered to go in and out of the Port of Nantes *et de se faire ce qu'on appelle ici la navette*: I added that as this was irregular, I was persuaded it was without his Excellency's knowledge. He assured me that it was, and then, My Lord, after a short pause, and entirely of his own accord, and without my having dropped a word that would lead to it, "I will deal confidentially with you, I never conceal what I do. I have seen Franklin once, and but once, I assure you, since his arrival here; in my situation, *il faut voir tout le monde du moins une fois*. The only time that I did see him, I observed to him

¹ See Capt. Wickes's account of his capture in vol. i. 114.

that he was come in a ship of war, and that it was not our intention to receive such American vessels into our ports, that there were many strong objections to it; nay, more, My Lord, I read him the Articles of the Treaty of Utrecht,¹ which I told him we considered as applicable to the present situation of things, and which we were determined religiously to fulfill. Notwithstanding this fair warning, *Ils y ont contre-venu*, we send as you see, their *armateurs* out of our ports, *et ils n'y retourneront pas.*"

I think it my duty to transmit to Your Lordship the inclosed letter from Messrs. Franklin and Deane, which was left at my house on Monday last, and to which I have returned no answer. The person who left the letter made no mention from whence it came.

[Here follows the note, which we have printed on p, 194 of vol. i.]

Same to Same.

MARCH 19th, 1777.

He, (M. de Maurepas) talked to me about the pretended news from America,² which gave me an opportunity of contradicting all Franklin's idle and malicious reports. He heard me with attention and said with his usual cheerfulness and vivacity, *vous verrez que ces gens là donnent des prophécies pour de l'histoire.*

Same to Same.

MARCH 26th, 1777.

As it is but too certain that notwithstanding all the friendly professions of this Court, the secret succours to the Rebels not only continue, but increase, I have tried, if possible, to get distinct, manifest proofs of this duplicity, and have used every endeavour to discover if there exists any treaty or written agreement between this Court and the Rebels. I can find no traces of any such convention, on the contrary, I am

¹ These articles may be found in vol. i. pp. 130, 131.

² The news of Trenton, Princeton, and Brunswick. See vol. i. p. 97.

assured from what I consider as very good authority that the Ministers here risk nothing in writing ; but have given and continue to give the most positive verbal assurances of assistance and support, always declaring that France will engage in a war with Great Britain rather than suffer America to be subdued. Franklin affects to lie *perdu*, but that infamous incendiary Deane, who pretends to laugh at the absurdity of John the Painter's¹ accusation and who seems more countenanced here since that accusation than he was before, is very frequent in his visits to Versailles ; I am assured that he was there no less than four times last week. He generally goes at seven in the morning and stays till about nine. He sees M. de Sartines and if he does not see M. de Vergennes, (which I think doubtful,) has at least free access to his *Commis*, whom Carmichael likewise sees whenever he pleases. This Carmichael is the person of that name that was in Holland some time ago ; he acts as a confidential secretary to Franklin and Deane. Your Lordship knows that they, (Franklin and Deane) have had some secret interviews with Ct. D'Aranda ; these have not however been frequent ; Ct. D'Aranda has advised them to avoid it, and has, I am informed, talked to them in the following manner. "If you were to see me often, it might injure your cause. I have many enemies at home ; I am known to be eager for war ; it is my opinion, my principle, and I of course act up to it ; I never deviate from or conceal my real sentiments ; but as these sentiments do not fall in with the wishes of some considerable persons both in and out of Spain, too great intercourse between you and me might be prejudicial to your cause, to which I wish every success ; my Court might perhaps be less disposed to favor it, if it was openly and warmly espoused by me. I am however authorized to inform you that my Court will assist you with a sum of money, will go as far as a hundred thousand pound."

¹ Painter was the incendiary who fired the English dock-yard at Portsmouth.

*Same to Same.*MARCH 26th, 1777.

I know from another quarter that Carmichael said yesterday that if an accomodation between Great Britain and the Rebels does not take place very soon, such events will arise before the close of the campaign as will make every accomodation impossible. He did not explain himself further; but no doubt meant to insinuate the probability of a French war: this may be and probably was artificial, but it is certain, My Lord, that the general animosity against us, and wild enthusiasm in favour of the Rebels, never was greater than it is at present. Your Lordship sees too, that every fresh intimation I send you (and I draw from various sources) carries some new proof of the duplicity of this Court.

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that M. de Vergennes is hostile to us in his heart, and anxious for the success of the Rebels, I have not a shadow of doubt. I persuade myself that I could have discovered this even from his language to me, guarded and artful as he thinks it; but it would be idle to conjecture, when his interviews with Beaumarchais and those of his *Commis* with Deane, amount to positive proof. As to his opinion for war or peace it must I think in a great measure be regulated by that of M. de Maurepas, without whose support he could not stand an hour; and as to M. de Maurepas, Your Lordship now knows as much as I do of his professions; strong and solemn as they are, I trust to them much less than to his temper and situation, and the conviction all his friends have and endeavour to give him that peace is the only ground on which he can stand for security.

. . . ; yet My Lord, doubting even of him, [M. de Maurepas,] and persuaded of the hostile intentions of all the other Ministers and of almost every man who can possibly

succeed them, I cannot but be exceedingly anxious that we may be constantly on the watch.

With this vigilance no surprise is to be feared, and we may then, My Lord, safely appear to confide in M. de Maurepas' professions. There is a necessity for my taking that line; after the manner in which we have talked together of late, there would be great objections to my betraying the least suspicion. I shall hold a similar conduct with regard to M. de Vergennes, with this difference however, that I shall not talk to him in the same confidential manner, but shall appear to have no personal mistrust of him, no doubt of the pacific and friendly relations of this Court, . . .

The provocation they give us is great, and there is nothing that would please me so much as to unmask their artifice and confound their duplicity and fraud; but that must not be attempted until the day of retribution comes.

M. de Lafayette who was lately in England, is not returned to Paris, but is gone to one of the sea-ports, I believe to Bordeaux, to embark for the Rebel army; he is a passionate enthusiast in their cause.

Same to Same.

APRIL 24, 1777.

Another foreign minister did speak to him [M. de Vergennes] of it [Lafayette's going to join the Americans] as the news of the day, and to that foreign minister M. de Vergennes said, that for a young man of the first fashion, with every advantage of fortune and situation, to engage in such an adventure as this, was such unaccountable folly, as there was no foreseeing, no guarding against.

*Same to Same.*2^d APRIL, 1777.

Yesterday morning I had the honor of receiving Your Lordship's most confidential letter. I hope and believe that M. de Maurepas will not deviate from his solemn professions, but he certainly either suffers, or at least winks at much paltry artifice and little deceit. Their behaviour to Deane shews the conduct of this court in a very odious light.

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Franklin seems to act rather a secondary part; [second to Deane;] he has however, a constant correspondence with Dr. Bancroft; but he, the Doctor, is at present, at Paris. Most of the letters that come to Franklin from England are directed to Mon^{sr}. Rechaumont, and might deserve some attention.

*Same to Same.*APRIL 9th, 1777.

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It has come round to me from persons who are much connected with Franklin, and who are very zealous for the Rebels, that even they admit that things are very ill in America, and that their army is in the greatest distress. A person sent to Franklin and who is just arrived from Philadelphia, gives a very melancholy account of the state of their affairs. Franklin and Deane labor to conceal all this, and affect to speak of the final success of the Rebels as absolutely sure. This poor stale artifice begins however to lose its effect, even upon those who wish most to be deceived.

*Same to Same.*9th APRIL, 1777.

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I likewise discovered that M. de Maurepas was strongly inclined to suspect that our councils were divided, and that some of His Majesty's confidential ministers have declared for immediate war. This suspicion is, I imagine, conveyed

by M. Garnier, as my friend dropped something about, *des avis subalternes*. I know that it is industriously and maliciously propagated by Franklin, who pretends to have received undoubted intelligence of it from England.

Same to Same.

16th APRIL, 1777.

Lee is upon very bad terms with Franklin and Deane, who now admit that his negotiation in Spain has totally failed. This confirms the intelligence Your Lordship has received from Lord Grantham.

I know that in a conversation Franklin had the other day with a person of some consequence here, he affected to hold a moderate language, and to insinuate that many things have been done in America which he by no means approved; I suspect that he had hopes that this conversation might come round to me; if he expected me to represent it as meritorious, he is much deceived, as I am thoroughly convinced that few men have done more to poison the minds of the Americans, or are more totally unworthy of His Majesty's mercy.

Same to Same.

7th MAY, 1777.

I learnt to-day from pretty good authority, that Franklin and Deane have engaged sixteen more French officers; one of them is an exempt in the cent Suisses. My informer *would* not tell me his name, and he could not tell me when these officers are to sail, nor in what port of France they are to embark.

Lee and Carmichael are, I am told, going to Holland. It is pretended that the French ministers have declared to the Rebel agents in the most positive terms, that rather than suffer the Colonies to be subdued by Great Britain, France will engage in a war. I give no credit to this information,

because it comes from a person, who, I am persuaded, is now an instrument of deceit in Deane and Franklin's hands; what comes from him may however have its use; it may shew what falsehoods they mean to propagate, and tell us the lie of the day.

Same to Same.

14th MAY, 1777.

The success of my application with regard to the Dunkirk pirate¹ has been highly displeasing to Franklin and Deane. They made strong remonstrances, but were given to understand that there are some things too glaring to be winked at, and that this was a point in which they could not be supported. Franklin is certainly going to Spain, by order of the Congress, who have especially allotted him that department.

Same to Same.

22nd MAY, 1777.

By the means of Madame Quoilien, Franklin and Deane had prevailed on Monsr. Maurepas to promise to give them a meeting at Franklin's house at Passy. He, Franklin, pretended that he had things of the utmost importance to communicate, which he could trust to nobody but M. de Maurepas, who, he said, would forever repent the refusing such an interview, and could not answer it to his King and country. M. de Maurepas gave way, and was to see Franklin this week, and go in at a back door; a mere accident led to the immediate discovery of this. M. de Maurepas when taxed with it, owned the whole, thinks they have betrayed him, and has solemnly promised that the interview shall not take place.

Same to Same.

4th JUNE, 1777.

The intention of sending secret succours to the Rebels, or at least of suffering them to be sent, still continues, and all I can possibly do, My Lord, by my repeated representations,

¹ Gustavus Conyngham. See vol. i. p. 136.

is to throw momentary difficulties in the way. Hynson says positively that there is an alteration with regard to the two ships that were fitting out at Marseilles; according to his account it was thought too dangerous to send two at once, therefore only one will be sent, which will carry the twelve brass mortars, and a quantity of ammunition. He is not to go on board this ship, his destination is changed: he is set out for Nantes, in order to go on board a French vessel which the Americans lately purchased at Havre; this at least, My Lord, is his story, on which I would not be thought to lay more stress than it deserves; I suspect that he is mistrusted by Franklin and Deane, and consequently knows but little, and I doubt much if he tells fairly and exactly the little he knows. He said positively on Monday morning that he was going to receive his instructions from Deane, and that he was to set out immediately for Nantz. Franklin has engaged Pulaski, one of the King of Poland's assassins, and five or six French officers to go to America, on board a vessel that will sail from Nantes the end of this week; she is to be freighted by a French merchant at Nantz, who is going to settle at Philadelphia; she will be very richly laden, but will have no warlike stores; I am told she will make directly for the port of Boston.

Franklin has begun a secret negotiation with the Duke of Lauzun, the object of which was to engage a number of the officers of the Legion Royale, lately re-formed, to serve in the Rebel army; they would have gladly accepted the proposal on reasonable conditions, but Franklin declared that he was not authorized to grant them any terms, and that all he could do was to recommend them to the Congress; upon this declaration, the whole project failed.

Same to Same.

JUNE 11th, 1777.

I lost no time in executing the important orders transmitted to me in Your Lordship's letter No. 38, which I re-

ceived yesterday morning. I executed them in the following manner. By way of introduction, I mentioned to M. de Vergennes the information Mr. Frazer had at my desire given the commandant at Dunkirk with regard to the cutter arming there, and added, that I knew the commandant, by means of this information and that which he himself had collected, was apprised of every particular, and had made his report accordingly, yet notwithstanding all this, Sir, the armament of this cutter goes on, and will continue, till positive orders are sent from home to stop it. He threw in a word or two about our smugglers arming more than they used to do for fear of our cruizers; [*sic*] I told him that this cutter which was to mount 18 guns at least, was certainly not to be employed as a smuggling vessel, but was to carry a commission from the Congress, a commission that would be issued by Franklin and Deane. This, Sir, is agreeable to a most extraordinary plan which they have formed, and of which I have more than once given you some intimation; they purchase, or hire vessels, which they arm in your ports, man them with French sailors, transmit them commissions from hence, and then mean to pass them off for American vessels, and send them out as such to cruise against us.

Same to Same.

18th JUNE, 1777.

. . . I dare say Your Lordship agrees with me in thinking that we ought to avoid everything that can afford them a pretence to recriminate, and never put ourselves in the wrong in a great matter or a small. Delicate as the crisis is, (no man feels it more than I do, who am placed on such dangerous ground) yet I cannot help thinking that if no unforeseen event arises, peace, such as it is, may continue till the close of the campaign, which certainly may, if properly conducted, and I hope, will, end this American war with great *eclat*. We must however, in the mean time, be constantly upon our guard, and cannot too much mistrust both France and Spain.

For my own part, My Lord, I endeavour to regulate my conduct agreeably to the idea I have formed of our situation, and proceed upon this belief, that quarrels between two rival nations are often prevented in the same way as they are between individuals of honor and spirit. A man may live peaceably in very quarrelsome company, if he can once establish an opinion that he will neither give nor brook an affront, will never wantonly put his hand to his sword, but will be ready to draw it in any situation and under any circumstances when there is a necessary call.

Same to Same.

19th JUNE, 1777.

. . . The order for the release of Cunningham and the other pirates was granted on the solicitation of Franklin and Deane. They kept the order for some time without making use of it, being apprehensive that the crew would disperse if they were released before another ship was ready to receive them. They are now, I believe, on board the cutter called the Greyhound, that cutter which I have so often mentioned to M. de Vergennes; notwithstanding all my remonstrances, she is to sail in a few days, but has positive orders to sail no more to Dunkirk.

Pulaski is to embark at Nantes on board a Massachusetts armed vessel, Capt. Fink. Hynson is certainly gone to Nantes to take charge of a French ship that is to sail from thence laden with goods and stores. The ship is a bad one and much objected to as such, which will occasion some delay. Deane is gone to Rouen and Havre, but the real object of his journey seems doubtful; the equipment at Havre is not I believe as considerable as some of my informers make it.

The Farmers General have actually paid to the Rebel Agents, one million of livres, for which they are to receive Tobacco. This payment was made very lately.

[From a subsequent part of the same letter.]

The whole conduct of the French Ministry is the more

extraordinary and the more dangerous to themselves, as it has not, I believe, the entire sanction of the King their master; at least I know that the Ct. D'Artois who declares himself a friend to the Americans, said the other day that the King his brother throws great obstacles in the way, *quand il entend parler de quelques secours donnés aux Américains, il est furieux*, was one of Count D'Artois' expressions. I can give Your Lordship this little anecdote as certain, but I do not lay more stress on it than it deserves. I am however much inclined to believe that many things the Ministers do in favor of the Rebels are concealed from his most Christian Majesty.

Same to Same.

25th JUNE, 1777.

After this, My Lord, I went to another point of importance which very naturally found its place on this occasion, and told him that notwithstanding the repeated representations I had made many months ago, Franklin and Deane still continued to engage French officers, that several went some time ago to Nantes and were to wait there for the arrival of a French Lieut. Col., who I knew set out from Paris on Sunday morning at four o'clock; he answered that they must be *des officiers réformés*, and that they had vast numbers who were *sur le pavé*, as I could not but know; I replied that I was not so much surprized at their engaging, as I was that the Rebel emissaries were suffered to engage them; "it is indeed Sir, most extraordinary that you should tolerate in these fugitives such an abuse of the asylum that they enjoy, and suffer them to do what would not be suffered in the ambassador of an ally." "We do not suffer it," replied he, "Franklin has been warned against it by me; I do not say *de bouche à bouche*, I never saw him but twice, but I have had the warning conveyed to him, *par quelqu'un qui le voit quelquefois*." (This unguarded expression is remarkable, and may be construed into an avowal of M. Gerard's interviews with Franklin.) Without appearing to remark it, I observed



to M. de Vergennes that Franklin, whatever he might be, was certainly no fool, *Il est tout excepté un Sot*, was the expression I used ; he knows very well how precarious his situation is here, and if your orders were peremptory, he durst not disobey. In things of this nature, what governments do not prevent, they in part allow ; this is particularly true, Sir, of such a government as this, *qui a tant de ressort*.

B. — THE ASGILL TRIAL.

ALL obscurities are removed from this subject — which gave so much pain to all parties concerned — by a perusal of the manuscript papers, which are in the State Paper Office in England. The central paper of them all is in the following affidavit by Cunningham, reporting the statements of Lippincott himself. We print it, for the first time, because it completely relieves all of those parties who could have been brought under any imputation of undue severity by the sternness of the correspondence. It is interesting to see that Clinton hated the whole matter. His verdict upon it is as severe to the full as that of Washington. He despised the men who were responsible, and he says distinctly that the most disagreeable task which he leaves to his successor, Sir Guy Carleton, is the necessity of keeping any terms with such men.

Whoever goes back to the controversy in future may remember that Gov. William Franklin is the one guilty party. He was known to be so at the time. It is possible that the respect which all men felt for his father disposed the few people who did know it to say as little as they could in the matter.

JUDGE ADVOCATE'S OFFICE, NEW YORK,
May 10, 1782.

Personally appeared before me Stephen Payne Adye, his Majesty's deputy Judge Advocate in North America, — Capt.

William Cunningham, provost Martial to the Army under the command of Sir Henry Clinton, who being duly sworn on the Holy Evangelists of Almighty God, deposeth and saith, — He heard Capt. Lippincott say, that Gov^r. Franklin often said there was no way of preventing the rebels from massacring the refugees but by retaliation. Capt. Lippincott said he would be the man to cause it to be done, if he the governor would give him an order in writing, so that he might stand fair in the eyes of his excellency the commander in chief. Gov. Franklin said that he could give no written order, but would answer the consequences to the commander in chief, as it was the only way of putting a stop to the rebels' hanging and murdering the loyal refugees.

And he further heard Capt. Lippincott say, that he had been told some time ago by two refugees, that the honorable Board would give up Capt. Huddy and two other prisoners, and that Huddy should be executed for Philip White, and the other two should be exchanged for Capt. Zilson, and the other for Aaron White, supposing Zilson and the other to be exchanged, and if not they were to be offered in exchange for them.

When Capt. Lippincott waited on the honorable Board with a label,¹ that was intended to be fastened on Huddy's breast, and gave it into the hands of the Governor, and asked him if he thought that would do, or something to that effect, Mr. Cox, who was also present, made answer and said, "Capt. Lippincott ought to have kept that to himself." Capt. Lippincott answered, that he never did anything but what was above board. The governor read it and then gave it to another of the Board to read, and when Capt. Lippincott was going out he wished him luck or success or something to that effect. Capt. Lippincott seemed a little affected, when he, Capt. Cunningham, gave him a copy of his crime, and expressed a seeming surprise by saying, "Ha, is this the way the Board is going to leave one?" or something to that purpose.

¹ The label was, "Up goes Lippincott to pay for Huddy."

He farther saith, that before Capt. Lippincott was made prisoner, he, Lippincott, told him the Board sent him near three sheets of paper written, the contents of which were to acquit the Board of knowing anything of Huddy's death, and that he, Lippincott should take it entirely on himself, and sign the paper and send it to the Board, which he believed he should have done, but he the Deponent making him prisoner, at the time he was copying it, had hindered him from so doing.

He, the Deponent, further saith, after he had minuted down this conversation, he read it referring to Capt. Lippincott and asked him if he had taken it down right as he the deponent supposed he might be called on in the course of the trial. Capt. Lippincott answered it was perfectly right and he could prove every thing he had told him in the course of the trial. That he was much obliged to the deponent for the trouble he had taken, as he designed in his trial to call on him in his behalf.

W. CUNNINGHAM.

C.—LETTERS TO SIR JOSEPH BANKS.

THE letters which Franklin wrote to Sir Joseph Banks, expressly for communication to the Royal Society, were never read to it. A certain jealousy seems to have prevented the English men of science from acknowledging the importance of the discovery thus publicly. As late as 1786, Franklin writes that the Royal Society has taken no notice of the invention. The kindness of Hon. John Bigelow enables us to print these very curious letters :—

PASSY, 30 August, 1783.

SIR,—On Wednesday, the 27th instant, the new aërostatic experiment, invented by Messrs. Montgolfier, of Annonay, was repeated by Mr. Charles, Professor of Experimental Philosophy at Paris.

A hollow globe, twelve feet diameter, was formed of what is called in England oiled silk, here *taffetas gommé*, the silk being impregnated with a solution of gum elastic in linseed oil, as is said. The parts were sewed together while wet with the gum, and some of it was afterwards passed over the seams, to render it as tight as possible.

It was afterwards filled with the inflammable air that is produced by pouring oil of vitriol upon filings of iron, when it was found to have a tendency upwards so strong as to be capable of lifting a weight, of thirty-nine pounds, exclusive of its own weight, which was twenty-five pounds, and the weight of the air contained.

It was brought early in the morning to the Champ de Mars, a field in which reviews are sometimes made, lying between the military school and the river. There it was held down by a cord till five in the afternoon, when it was to be let loose. Care was taken, before the hour, to replace what portion had been lost of the inflammable air, or of its force, by injecting more.

It is supposed that not less than five thousand people were assembled to see the experiment; the Champ de Mars being surrounded by multitudes, and vast numbers on the opposite side of the river.

At five o'clock notice was given to the spectators, by the firing of two cannon, that the cord was about to be cut. And presently the globe was seen to rise, and that as fast as a body of twelve feet diameter, with a force only of thirty-nine pounds, could be supposed to move the resisting air out of its way. There was some wind, but not very strong. A little rain had wet it, so that it shone, and made an agreeable appearance. It diminished in apparent magnitude as it rose, till it entered the clouds, when it seemed to me scarce bigger than an orange, and soon after became invisible, the clouds concealing it.

The multitude separated, all well satisfied and delighted with the success of the experiment, and amusing one another

with discourses of the various uses it may possibly be applied to, among which many were very extravagant. But possibly it may pave the way to some discoveries in natural philosophy of which at present we have no conception.

A note secured from the weather had been affixed to the globe, signifying the time and place of its departure, and praying those who might happen to find it to send an account of its state to certain persons at Paris. No news was heard of it till the next day, when information was received that it fell, a little after six o'clock, at Gonesse, a place about four leagues distant, and that it was rent open, and some say had ice in it. It is supposed to have burst by the elasticity of the contained air when no longer compressed by so heavy an atmosphere.

One of thirty-eight feet diameter is preparing by Mr. Montgolfier himself, at the expense of the Academy, which is to go up in a few days. I am told it is constructed of linen and paper, and is to be filled with a different air, not yet made public, but cheaper than that produced by the oil of vitriol, of which 200 Paris pints were consumed in filling the other.

It is said that for some days after its being filled, the ball was found to lose an eighth part of its force of levity in twenty-four hours. Whether this was from imperfection in the tightness of the ball or a change in the nature of the air, experiments may easily discover.

I thought it my duty, sir, to send an early account of this extraordinary fact to the Society which does me the honor to reckon me among its members, and I will endeavor to make it more perfect as I receive further information. With great respect, I am, sir, your most obedient and most humble servant,

B. FRANKLIN.

P. S. — Since writing the above, I am favored with your kind letter of the 25th. I am much obliged to you for the care you have taken to forward the Transactions, as well as

to the Council for so readily ordering them on application. Please to accept and present my thanks.

I just now learn that some observers say the ball was one hundred and fifty seconds in rising, from the cutting of the cords till hid in the clouds ; that its height was then about five hundred toises, but being moved out of the perpendicular by the wind, it had made a slant so as to form a triangle, whose base on the earth was about two hundred toises. It is said the country people who saw it fall were frightened, conceived from its bounding a little when it touched the ground that there was some living animal in it, and attacked it with stones and knives, so that it was much mangled, but it is now brought to town and will be repaired.

The great one of Mr. Montgolfier, is to go up, as is said, from Versailles, in about eight or ten days. It is not a globe, but of a different form, more convenient for penetrating the air. It contains fifty thousand cubic feet, and is supposed to have force of levity equal to fifteen hundred pounds' weight. A philosopher here, Mr. Pilatre de Rosier has seriously applied to the Academy for leave to go up with it, in order to make some experiments. He was complimented on his zeal and courage for the promotion of science, but advised to wait till the management of those balls was made by experiment more certain and safe. They say the filling of it in Mr. Montgolfier's way will not cost more than half a crown. One is talked of to be 110 feet diameter. Several gentlemen have ordered small ones to be made for their amusement. One has ordered four of fifteen feet diameter each, I know not with what purpose ; but such is the present enthusiasm for promoting and improving this discovery, that probably we shall soon make considerable progress in the art of constructing and using the machines.

Among the pleasantries conversation produces on this subject, some suppose flying to be now invented, and that since men may be supported in the air, nothing is wanted

but some light handy instrument to give and direct motion. Some think progressive motion on the earth may be advanced by it, and that a running footman or a horse slung and suspended under such a globe, so as to have no more of weight pressing the earth with their feet than perhaps eight or ten pounds, might with a fair wind run in a straight line across countries as fast as that wind, and over hedges, ditches, and even waters. It has been even fancied that in time people will keep such globes anchored in the air, to which by pulleys they may draw up game to be preserved in the cool, and water to be frozen when ice is wanted; and that to get money, it will be contrived to give people an extensive view of the country, by running them up in an elbow chair a mile high for a guinea, etc., etc.

A pamphlet is printing, in which we are to have a full and perfect account of the experiments hitherto made, etc. I will send it to you. Mr. Montgolfier's air to fill the globe has hitherto been kept secret. Some suppose it to be only common air heated by passing through the flame of burning straw, and thereby extremely rarefied. If so, its levity will soon be diminished by condensation, when it comes into the cooler regions above.

B. FRANKLIN.

Sept. 2d. I add this paper just now given me, B. F.

The print contains a view of Champ de Mars and the ball in the air with this subscription :

Experience de la machine aérostatique de Mrs. de Montgolfier, d'Anonai en Vivarais. Repetée à Paris le 27 Août 1783 au Champ de Mars, avec un ballon de taffetas enduit de gomme elastique, de 36 pieds 6 pouces de circonference, le ballon plein d'air inflammable a été exécuté par Mrs. Robert, en vertu d'une souscription nationale, sous la direction de Mr. Faujas de Saint Fond (et M. Charles).

N. B. — Mr. Charles' name is wrote with pen, not engraved.

Calculs du Ballon de 12 pieds de diametre enlevé le Mercredi 27 Août 1783.

Circonference du grand cercle	37 pieds.
Diametre	12
	<hr/> 74
	37
Surface	444
Tiers du rayon	2
Solidité	888 pieds cubes.
Air atm. à 12 gros le pied	12
	<hr/> 1776
	888
Pesanteur de l'air atm.	10,656 gros.
	26 { $\frac{8}{1332}$ onces / 16
	25, { $\frac{52}{83}$ lb., 4 onces.
	6

L'air atmospherique dont le ballon occupait la place pesant 83 lb. 4 onces et sa force pour s'élever étant de 40 lb. il falloit que son enveloppe et l'air inflammable qu'elle contenoit ne pesassent que 42 lb. 4 onces. L'enveloppe en pesoit 25, reste pour l'air inflammable 18 lb. 4 onces.

En supposant le ballon de 6 pieds de diametre, son volume étant le 8me du 1er, le poids de l'air dont il occupoit la place seroit le 8me, de 83 lb., 4 onces = 10 lb., 6 onces, 4 gros. L'air inflammable $\frac{1}{2}$ de 18 lb., 4 onces = 2 lb., 4 onces, 4 gros. L'enveloppe $\frac{1}{2}$ de 25 lb., = 6 lb., 4 onces. Les dernières valeurs reunies sont 8 lb., 8 onces, 4 gros, qui ôtés de 10 lb., 6 onces, 4 gros pesanteur de l'air atmospherique dont le ballon occupoit la place, laisse pour sa force d'elevation 1 lb., 14 onces.

To Sir Joseph Banks.

PAESTY, 21 November, 1783.

DEAR SIR, — I received your friendly letter of the 7th inst. I am glad my letters respecting the aërostatic experiment were not unacceptable. But as more perfect accounts of the construction and management of that machine have been and will be published before your Transactions, and from which extracts may be made that will be more particular and therefore more satisfactory, I think it best not to print those letters. I say this in answer to your question, for I did not indeed write them with a view of their being inserted. Mr. Faujas de St. Fond acquainted me yesterday

that a book on the subject, which has been long expected, will be published in a few days, and I shall send you one of them. Enclosed is a copy of the *procès verbal* taken of the experiment made yesterday in the garden of the queen's palace *La Muette*, where the dauphin now resides, which being near my house, I was present. This paper was drawn up hastily, and may in some places appear to you obscure, therefore I shall add a few explanatory observations.

This balloon was larger than that which went up from Versailles and carried the sheep, etc. Its bottom was open, and in the middle of the opening was fixed a kind of basket grate, in which faggots and sheaves of straw were burnt. The air, rarefied in passing through this flame, rose in the balloon, swelled out its sides, and filled it.

The persons, who were placed in the gallery made of wicker and attached to the outside near the bottom, had each of them a port through which they could pass sheaves of straw into the grate to keep up the flame, and thereby keep the balloon full. When it went over our heads, we could see the fire, which was very considerable. As the flame slackens, the rarefied air cools and condenses, the bulk of the balloon diminishes, and it begins to descend. If those in the gallery see it likely to descend in an improper place, they can, by throwing on more straw and renewing the flame, make it rise again, and the wind carries it farther.

La machine poussée par le vent s'est dirigée sur une des allées du jardin — that is, against the trees of one of the walks; the gallery hitched among the top boughs of those trees which had been cut and were stiff, while the body of the balloon leaned beyond and seemed likely to overset. I was then in great pain for the men, thinking them in danger of being thrown out, or burnt, for I expected that the balloon, being no longer upright, the flame would have laid hold of the inside that leaned over it. But by means of some cords that were still attached to it, it was soon brought upright again, made to descend, and carried back to its place. It was, however, much damaged.

Planant sur l'horizon. When they were as high as they chose to be, they made less flame and suffered the machine to drive horizontally with the wind, of which, however, they felt very little, as they went with it, and as fast. They say they had a charming view of Paris and its environs, the course of the river, etc., but that they were once lost, not knowing what part they were over, till they saw the dome of the Invalides, which rectified their ideas. Probably while they were employed in keeping up the fire, the machine might turn, and by that means they were *desorientés*, as the French call it.

There was a vast concourse of gentry in the garden who had great pleasure in seeing the adventurers go off so cheerfully, and applauded them by clapping, etc.; but there was at the same time a good deal of anxiety for their safety. Multitudes in Paris saw the balloon passing, but did not know there were men with it, it being then so high that they could not see them.

Developpant du gaz — that is, in plain English, *burning more straw*; for though there is a little mystery made concerning the kind of air with which the balloon is filled, I conceive it to be nothing more than hot smoke, or common air rarefied; though in this I may be mistaken.

Aiant encore dans leur galerie le deux tiers de leur approvisionnement — that is, their provision of straw, of which they carried up a great quantity. It was well that in the hurry of so hazardous an experiment the flame did not happen, by any accidental mismanagement, to lay hold of this straw; though each had a bucket of water by him by way of precaution.

One of these courageous philosophers, the Marquis d'Arlandes, did me the honor to call upon me in the evening after the experiment, with Mr. Montgolfier, the very ingenious inventor. I was happy to see him safe. He informed me that they lit gently, without the least shock, and the balloon was very little damaged.

This method of filling the balloon with hot air is cheap and expeditious, and it is supposed may be sufficient for certain purposes, such as elevating an engineer to take a view of an enemy's army, works, etc., conveying intelligence into or out of a besieged town, giving signals to distant places, or the like.

The other method of filling a balloon with permanently elastic inflammable air, and then closing it, is a tedious operation, and very expensive; yet we are to have one of that kind sent up in a few days. It is a globe of twenty-six feet diameter. The gores that compose it are red and white silk, so that it makes a beautiful appearance. A very handsome triumphal car will be suspended to it, in which Messrs. Robert, two brothers, very ingenious men, who have made it in concert with Mr. Charles, propose to go up. There is room in this car for a little table to be placed between them, on which they can write and keep their journal; that is, take notes of every thing they observe, the state of their thermometer, barometer, hygrometer, etc., which they will have more leisure to do than the others, having no fire to take care of. They say they have a contrivance which will enable them to descend at pleasure. I know not what it is, but the expense of this machine, filling included, will exceed, it is said, ten thousand livres.

This balloon of only twenty-six feet diameter, being filled with air ten times lighter than common air, will carry up a greater weight than the other, which, though vastly bigger, was filled with an air that could scarcely be more than twice as light. Thus the great bulk of one of these machines, with the short duration of its power, and the great expense of filling the other, will prevent the invention being of so much use as some may expect, till chemistry can invent a cheaper light air producible with more expedition.

But the emulation between the two parties running high, the improvement in the construction and management of the balloons has already made a rapid progress, and one cannot

say how far it may go. A few months since the idea of witches riding thro' the air upon a broomstick, and that of philosophers upon a bag of smoke, would have appeared equally impossible and ridiculous.

These machines must always be subject to be driven by the winds. Perhaps mechanic art may find easy means to give them progressive motion in a calm, and to slant them a little in the wind.

I am sorry this experiment is totally neglected in England, where mechanic genius is so strong. I wish I could see the same emulation between the two nations as I see between the two parties here. Your philosophy seems to be too bashful. In this country we are not so much afraid of being laughed at. If we do a foolish thing, we are the first to laugh at it ourselves, and are almost as much pleased with a *bon mot* or a good *chanson*, that ridicules well the disappointment of a project, as we might have been with its success. It does not seem to me a good reason to decline prosecuting a new experiment which apparently increases the power of man over matter, till we can see to what use that power may be applied. When we have learnt to manage it, we may hope some time or other to find uses for it, as men have done for magnetism and electricity, of which the first experiments were mere matters of amusement.

This experiment is by no means a trifling one. It may be attended with important consequences that no one can foresee. We should not suffer pride to prevent our progress in science.

Beings of a frank and *Sic* nature far superior to ours have not disdained to amuse themselves with making and launching balloons, otherwise we should never have enjoyed the light of those glorious objects that rule our day and night, nor have had the pleasure of riding round the sun ourselves upon the balloon we now inhabit.

With great and sincere esteem, I am, dear sir, your most obedient and most humble servant,

B. FRANKLIN.

P. S. Nov. 25th. — The *procès verbal* to which this letter relates went by last post. I have now got the within mentioned book, but it being too bulky to send by post, I shall try to get it forwarded to you by the Duke of Manchester's courier, who goes usually on Thursdays. I enclose one of the plates of it, which gives a perfect representation of the last great balloon. You can put it in its place when you receive the book.

B. F.

D. — FROM MISS G. SHIPLEY TO FRANKLIN.

ANOTHER letter from Franklin's charming correspondent, Miss Georgiana Shipley, written in 1781, is still preserved.¹ As the reader has seen, Mr. William Jones, afterwards Sir William Jones, married her sister; and she and her excellent father were among the last of his English friends whom Franklin saw when he sailed from Southampton.

Miss G. Shipley to Franklin.

MAY the 6th, 1781.

Your dear delightful letter made me most exceedingly happy; particularly your account of yourself as it proves that you are in good spirits and pleased with your present situation; your Dialogue with the gout is written with your own cheerfull pleasantry and la belle et la mauvaise jambe recalls to my mind those happy hours we once past in your society when we were never amused without learning some useful truth, and where I first acquired a taste pour la conversation badinante et reflective.

It is long since I have written to my ever valued friend, but the difficulty I find in conveying my letters safe to Passy is the only motive for my silence, strange that I should be under the necessity of concealing from the world a

¹ See p. 213.

correspondence which it is the pride and glory of my heart to maintain.

We have spent three months in London, but leave it to-morrow, that we may enjoy the beauties of a late Spring at Twyford. My father grows every year fonder of that peaceful retirement, having found his endeavors to serve his country ineffectual, he yields to a torrent which it is no longer in his power to oppose. I will confess that altho I love reading and drawing sufficiently never to want amusement in the country, yet I have some few friends in town from whom I shall part with regret.

We live very little in Public, but a great deal with small private societies. — They have the charm of life.

I have enquired after Mr. Small, but hitherto my enquiries have proved unsuccessfull. Sir John Pringle has left London and gone to reside wholly in Scotland. I fear he is much streightened in his circumstances, he looks ill and is vastly changed from what you remember him. Dr. Priestley is now on a short visit to his friends in town. I find he is settled much to his satisfaction at Birmingham where he has the care of a pretty numerous congregation. Good Doctor Price calls on us often and gives us hopes of a visit to Twyford, we value him no less on his own account than for his steady attachment to our respectable friend. The first opportunity we have of sending a parcel to Paris you may expect *all* our shades, you flatter us vastly by desiring them as well as by every expression of esteem and affection for a family who know how to value your praise. Mr. Jones has undertaken the care of this letter. I feel grateful to him for giving me an opportunity of assuring you how much I *do* and ever *shall* continue to love you.

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NOTE to p. 387. An accomplished friend shows me that "match-coat" was a word in familiar use among Indians on the frontier. The word seems to have been derived from the "matching" of the cloth used in making it. But Mr. Longfellow, following Schoolcraft, makes it an Indian word as "matchecota."

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